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THE FIRST SCHEDULE—ENACTMENTS REPEALED.
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A Bill to regulate the procedure and increase the jurisdiction of the Courts of Magistrates in the Presidency Towns.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating the procedure of the Courts of Magistrates in the Presidency towns and to increase the jurisdiction of such Courts; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Magistrates' Act, 1876":

Local extent.

It extends to all places within the local limits of the ordinary original criminal jurisdiction of the High Courts of Judicature at Fort William, Madras and

Bombay, and within the limits of the ports of the said towns and of any navigable river or channel leading thereto as such limits are defined under the law for the time being in force for the regulation of ports and port-dues;

Commencement. And it shall come into force at once.

2. The enactments mentioned in the first schedule hereto annexed are repealed to the extent specified in the third column of the said schedule.

Repeal of enactments.

3. Nothing in this Act shall be deemed to restrict any power conferred by any special or local law.

Saving of powers under local laws.

4. The Court by which an offence is triable under this Act is indicated by the seventh column of the second schedule hereto annexed and by the third explanatory note prefixed to such schedule.

Matters indicated in second schedule.

The cases in which the Police may arrest without warrant or not, in the case of each offence under the Indian Penal Code or any other law referred to in section twelve;

whether a warrant or a summons shall ordinarily issue in the first instance, and;

whether the offence is bailable or not,

are indicated respectively by the third, fourth and fifth columns of the same schedule.

5. Cases pending in any of the Courts of Police Magistrates within the said limits when this Act comes into force shall be decided, as far as may be, according to the procedure provided in this Act.

Pending cases.

6. In this Act the following words and expressions have the following meanings, unless a different intention appears from the context:—

Definitions.

"Special law." "Special law" means a law applicable to a particular subject:

"Local law." "Local law" means a law applicable to a particular part of British India:

"Investigation" includes all the proceedings by the Police, authorized by this Act, for the collection of evidence:

"Investigation."

"Inquiry" includes any inquiry which may be conducted by a Magistrate under this Act:

"Inquiry."

"Inquired into" means and includes every proceeding preliminary to trial:

"Inquired into."

"Trial" means the proceedings taken in Court from the time when the accused appears in Court, and includes the punishment of the offender:

"Trial."

"Written" includes "printed," "lithographed," "photographed" and "engraved":

"Written."

"Magistrate." "Magistrate" includes a Presidency Magistrate:

"Presidency-town" includes all places within the limits mentioned in section one:

"Presidency-town."

"District" shall be deemed to have the meaning attached to it in the Code of Criminal Procedure, and shall include a Presidency-town:

"District."

"High Court." "High Court" means the High Courts of Judicature at Fort William, Madras and Bombay:

"Cognizable offence or case" means an offence for, or a case in, which a Police-officer may, by any law in force for the time being, arrest without warrant:

"Cognizable offence or case."

"Non-cognizable offence or case" means an offence for, or a case in, which a Police-officer may not arrest without warrant:

"Non-cognizable offence or case."

"Bailable offence" means an offence for, or a case in, which bail may be taken under any law in force for the time being:

"Bailable offence or case."

"Non-bailable offence or case" means an offence for, or a case in, which bail may not be taken under any law in force for the time being.

"Non-bailable offence or case."

In every part of this Act, except where a contrary intention appears from the context, words which refer to acts done extend also to illegal omissions.

CHAPTER II.

CONSTITUTION AND POWERS OF THE MAGISTRATES' COURTS.

7. The Local Government may, with the sanction of the Governor General in Council, constitute within the said Presidency-towns respectively as many Divisions as the said Government thinks fit, and may define the extent thereof, and from time to time alter the number and extent of such divisions, and establish a Presidency Magistrate's Court for each of such divisions.

Establishment of Presidency Magistrates' Courts.

8. The Local Government may also from time to time appoint a sufficient number of fit persons to be Magistrates for the said towns, respectively, who may sit and act as such Magistrates in any of the said Courts, and may suspend or remove persons so appointed.

Appointment of Presidency Magistrates.

Every person so appointed shall, by virtue of his office, be a Justice of the Peace for the said towns, and shall exercise all powers and jurisdictions which, by virtue of any law for the time being in force, may be exercised by two Justices of the Peace.

Presidency Magistrates to be Justices of the Peace.

Every Presidency Magistrate in the town of Bombay shall exercise all powers and jurisdictions which under any law now in force may be exercised by the Court of Petty Sessions.

9. In every Presidency-town the Local Government shall appoint one of the Presidency Magistrates to be Senior Magistrate, and such Magistrate shall exercise in such town all the powers which by any law, regulation or rule, are required to be exercised by any Senior or Chief Magistrate, and shall have authority

Appointment and powers of Senior Magistrate.

to make rules, not being inconsistent with the provisions of this Act, to regulate the conduct of business and secure uniformity of practice in the Courts of the Presidency Magistrates.

Notwithstanding anything in the last paragraph of section 8, appeals under the law for the time being regulating the municipality of Bombay shall lie to the Senior Magistrate.

Saving of existing incumbents.

10. All existing Magistrates of Police shall be deemed Presidency Magistrates under this Act, and all references in any Act now in force to Magistrates of Police shall be deemed to be made to such Presidency Magistrates.

Sentences which Magistrates may pass.

11. Presidency Magistrates may pass the following sentences on persons convicted before them of offences which the said Magistrates are competent to try:—

Imprisonment not exceeding the term of two years (including such solitary confinement as is authorized by law):

Fine to the extent of one thousand rupees:

Whipping.

A Magistrate may pass any lawful sentence, combining any of the sentences which he is authorized by law to pass.

EXPLANATION.—A Magistrate may award imprisonment in default of payment of fine, in addition to the full term of imprisonment which, under this section, he is competent to award.

Offences under enactments not specifying Court authorized to try.

12. Offences punishable under any law, other than the Indian Penal Code, containing no distinct provision as to the Court or officer before which or before whom they are to be tried, may be inquired into and tried, according to the provisions hereinafter contained, by the Courts appointed under this Act. But no such Court shall award any sentence in excess of its powers.

Offence committed in Magistrate's presence.

13. When any offence is committed in the presence of a Presidency Magistrate, he may order any person to arrest the offender, and may thereupon commit him to custody, or, if the offence is bailable, may admit him to bail.

Powers of Magistrate to record statements and confessions.

14. A Magistrate may record any statement made to him by any person, or any confession made to him by any person accused of an offence by any Police-officer or other person. Such statements and confessions shall be recorded in the manner hereinafter prescribed for recording evidence, and shall, when recorded, be forwarded to the Magistrate by whom the case is inquired into or tried. No Magistrate shall record any such confession unless, upon enquiry, he has reason to believe that it was made voluntarily, and he shall make a memorandum at the foot of any such confession to the following effect:—

"I believe that this confession was voluntarily made."

(Signed) A. B.,
Presidency Magistrate.

Magistrate may compel immediate restoration of such woman or child.

15. Upon complaint made to a Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, such Magistrate may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or such other person as aforesaid, as the case may be, and may compel compliance with such order, using force if necessary.

CHAPTER III.

THE PLACE OF INQUIRY AND TRIAL.

Place for inquiry and trial of offence.

16. Every offence shall ordinarily be inquired into, and, if tried by a Magistrate, shall be tried in the district in which it was committed. If tried by a High Court, it shall (subject to the provisions of section 61A of the Code of Criminal Procedure) be tried by that High Court to which the Magistrate commits.

EXPLANATION.—Offences created by local and special laws may be inquired into and tried in any place where the inquiry or trial might be held under the provisions of those laws or of this Act.

Accused triable in district where act done, or where consequence ensues.

17. When a person is accused of the commission of any offence by reason of anything which has been done, or of anything which has been omitted to be done, and of any consequence which has ensued, such offence may be inquired into or tried in any district in which any such thing has been done, or omitted to be done, or any such consequence has ensued.

Illustrations.

(*a*.) A is wounded in the district of X and dies in district Z. The offence of the culpable homicide of A may be inquired into and tried either in X or Z.

(*b*.) A is wounded in the district of X, and is, during twenty days, unable to follow his ordinary pursuits in the district Y, where he is being treated. The offence of causing grievous hurt to A may be inquired into and tried either in X or Y.

(*c*.) A is put in fear of injury in district X, and is thereby induced, in the district of Y, to deliver property to the person who put him in fear. The offence of extortion committed on A may be inquired into and tried either in district X or district Y.

Place for trial where act is offence by reason of relation to other offence.

18. When an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first-mentioned offence may be inquired into and tried, either in the district in which it happened, or in the district in which the offence with which it was so connected happened.

Illustrations.

(*a*.) A charge of abetment may be inquired into and tried, either in the district in which the abetment was committed, or in the district in which the offence abetted was committed.

(*b*.) A charge of receiving or retaining stolen goods may be inquired into and tried, either in the district in which the goods were stolen, or in any district in which any of them were at any time dishonestly received or retained.

(*c*.) A charge of wrongfully concealing a person known to have been kidnapped may be inquired into and tried in the district in which the wrongful concealing, or in the district in which the kidnapping, took place.

(d.) A, B, C and others combine together to abet the waging of war against the Queen. Any of the conspirators may be tried in any district in which acts were done by any one of the persons with whom he or they conspired, in pursuance of the original concerted plan and with reference to the common object.

Place for inquiry or trial where cause of offence is uncertain;

19. When it is uncertain in which of several districts an offence was committed; or

or not in one district only;

where an offence is committed partly in one district and partly in another; or

where the offence is a continuing one and continues to be committed in more districts than one; or

or offence is continuing;

or consists of several acts.

where it consists of several acts done in different districts,

it may be inquired into and tried in any one of such districts.

Illustrations.

(a.) An offence committed on a journey or voyage may be inquired into and tried in any district through which the person by whom the offence was committed, or the person against whom, or the thing in respect of which, the offence was committed, passed in the course of that journey or voyage.

(b.) An offence committed near the boundary between two districts may be inquired into and tried in either.

(c.) A charge of being a thug, or of having belonged to a gang of dacoits, may be inquired into and tried wherever the person charged happens to be when the charge is made.

(d.) A charge of having escaped from custody may be inquired into and tried wherever the person charged happens to be when the charge is made.

(e.) A charge of criminal misappropriation, or of criminal breach of trust, may be inquired into and tried, either in the district in which the property which is the subject of the offence was received, or in the district or districts in which the whole or any part of it has been misappropriated, or where the offence of criminal breach of trust has been wholly or partly committed.

(f.) A steals a buffalo from B in district W, and is custody, or by his agents, conveys the buffalo through districts X and Y into district Z. This is a continuing offence, and A may be tried either in W, X, Y or Z.

Murder as a thug, dacoity or dacoity with murder.

20. The offence of murder as a thug, dacoity or dacoity with murder may be inquired into and tried wherever the person accused may happen to be when arrested, or in any other district in which he might be tried under any other provision of this Code, or any other law relating to the trial of such offence.

High Court to decide, in case of doubt, district where inquiry shall take place.

21. Whenever any doubt arises as to the district in which any offence should be inquired into or tried, the High Court within whose jurisdiction the offender is apprehended may decide in which district the offence shall be inquired into or tried.

Effect, on sentence, of holding investigation, inquiry or trial in wrong district.

22. No sentence or order of any criminal Court shall be liable to be set aside merely on the ground that the investigation, inquiry or trial was held in a wrong district, unless it is proved, or appears, that the accused person was actually prejudiced in his defence, or the prosecutor in his prosecution, by such error, in either of which cases a new trial may be ordered.

CHAPTER IV.

OF THE DUTY OF THE PUBLIC.

All persons to give information of certain offences.

23. Every person aware of the commission of any offence made punishable under section 121, 121 A, 122, 123, 124, 124 A, 125, 126, 130, 302, 303, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 456, 457, 458, 459 or 460 of the Indian Penal Code, shall, in the absence of reasonable excuse, the burthen of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Magistrate.

All persons to assist Magistrate and Police in certain cases.

24. Every person is bound to assist a Magistrate or Police-officer demanding his aid

in the prevention of a breach of the peace,

or in the suppression of a riot or an affray,

or in the taking of any other person whom such Magistrate or Police-officer is authorized to arrest.

CHAPTER V.

OF COMPLAINTS TO A MAGISTRATE.

Process.

25. Proceedings to compel the appearance before a Magistrate of persons accused or suspected of offences, who have not been arrested without warrant, may be by summons or by warrant.

When summons or warrant may be issued.

26. A summons or a warrant may be issued—

(a.) upon information or report by a Police-officer. Such information or report shall be regarded as a complaint;

(b.) upon a complaint by a private person. Any person acquainted with the facts of a case may make a complaint;

(c.) upon suspicion entertained by a Magistrate that an offence has been committed.

Who may entertain complaints.

27. A Magistrate may entertain a complaint of an offence, whether preferred directly by the complainant, or on report of a Police-officer, and may issue process, in the manner hereinafter prescribed, to compel the appearance of persons accused of such offences.

Effect of complaint or Police report.

A complaint or a Police report gives jurisdiction to a Magistrate to inquire into or try any offence covered by the facts complained of or reported, and also to try or commit for trial any person who, at the time when the complaint or report is made, or, subsequently, appears to have committed the offence disclosed.

Who may act without complaint.

28. A Magistrate may, without any complaint, take cognizance of any offence which he suspects to have been committed, and may issue process in the manner hereinafter prescribed to compel the appearance before him of

persons whom he suspects to have committed any such offence.

Complaint or sanction required in certain cases.

29. Nothing in section 27 or 28 shall be held to authorize a Magistrate to take cognizance of a case without complaint, when the offence falls under chapters XIX, XX or XXI of the Indian Penal Code; nor to entertain a complaint, or to take cognizance without complaint, of an offence, without sanction, where such offence, by any law in force, may not be entertained without sanction.

Commitment to High Court.

30. A Magistrate may commit any person to the High Court for any offence triable by such Court.

Magistrate to examine complainant.

31. When, in order to the issuing of a summons or a warrant against any person for any offence, a complaint is made to a Magistrate, such Magistrate, if he is competent to receive such complaint, shall examine the complainant. Such examination may be on oath or affirmation or not, as the Magistrate in each case thinks fit; but

Effect of omission.

where the complaint has been made by petition, and the Magistrate neglects to examine the complainant, the trial of the person accused shall not be set aside on this ground.

Provided that the Magistrate, if he thinks fit, may require an information in writing to be laid in every case in which it seems to him to be expedient before the matter of the complaint or charge is brought before him.

Dismissal of complaint.

32. The Magistrate before whom such complaint is duly made may, if, after examining the complainant, there is in his judgment no sufficient ground for proceeding, dismiss the complaint.

The dismissal of a complaint shall not prevent subsequent proceedings.

If it appears to such Magistrate that there is sufficient ground for proceeding, he shall issue his summons or his warrant (as the case may be) for causing the accused person to appear before him.

When summons may issue.

33. When a complaint is made before a Magistrate having jurisdiction in the case, that any person has committed, or is suspected of having committed, any offence triable by such Magistrate and punishable with fine only, or with imprisonment for a period not exceeding six months, or with both, the Magistrate may issue his summons directed to such person, requiring him to appear at a certain time and place before such Magistrate as may then be there, to answer to the complaint.

If the Magistrate believes that the accused person is about to abscond, he may, instead of issuing a summons, issue a warrant in the first instance for the arrest of such person.

Where warrant or summons may issue on complaint.

34. When a complaint is made before a Magistrate having jurisdiction in the case, that any person has committed, or is suspected of having committed, any offence triable by such Magistrate and punishable with imprisonment for a period exceeding six months,

or any offence triable exclusively by the High Court, or which in the opinion of such Magistrate ought to be tried by the High Court,

such Magistrate may issue his warrant to arrest such person, or, if he thinks fit, his summons requiring him to appear to answer such complaint.

Warrant to arrest, if summons not obeyed.

35. If the person served with a summons does not appear before the Magistrate at the time mentioned in such summons, and the Magistrate is satisfied that such summons was duly served in what the Magistrate deems a reasonable time before the time therein appointed for appearing in the same,

or if it appears to the Magistrate that, after due diligence, the summons could not be served according to the provisions of this Act,

the Magistrate may issue his warrant to apprehend the accused person.

Magistrate may dispense with personal attendance of accused.

36. In cases of whatever nature, in which the Magistrate thinks fit to issue a summons, he may, if he sees sufficient cause, dispense with the personal attendance of the accused person, and permit him to appear by an agent duly authorized to act in his behalf.

But it shall be in the discretion of such Magistrate, at any stage of the proceedings, to direct the personal attendance of the accused person.

CHAPTER VI.

OF THE SUMMONS.

Form of summons.

37. Every summons issued by a Magistrate to an accused person shall be in writing, and shall be signed and sealed by such Magistrate, and shall be in the form (A) given in the third schedule to this Act, or to the like effect.

Fees for summons and warrants.

38. For every summons or warrant issued by a Magistrate there shall be paid a fee of eight annas, and for every summons to attend and produce documents there shall be paid a fee of four annas.

Power to remit fee.

Provided that such Magistrate may in any case remit any such fee, if he is satisfied that the party complaining is unable to pay the same, or if the complaint is made by a public servant in the execution of his duty.

Summons how served.

39. The summons shall be served on the accused personally, in any district where he may be, by delivering or tendering the summons to him; or, in case the accused person cannot be found, the summons may be left for him with some adult male member or servant of his family residing with him, and the person summoned, or the person with whom the summons is left, shall, if required by the serving officer, sign a receipt therefor.

Service when accused cannot be found.

40. When the accused person cannot be found, and there is no adult male member of his family on whom the service can be made, the serving officer shall fix the summons on some conspicuous part of the house in which the accused person ordinarily resides.

Issue of warrant in addition to summons.

41. A Magistrate may, notwithstanding the issue of such summons, either before the appearance of the accused person as required by such summons, or after default made by him so to appear, issue a warrant of arrest against such person.

Summons or warrant for apprehension of person within jurisdiction for offence committed beyond.

42. A Magistrate may issue a summons for the attendance, or a warrant for the apprehension, of any person within the local limits of his jurisdiction, in respect of any offence known or suspected to have been committed by such person in a different district, or on the high seas, or in a foreign country, and for which, if committed within such local limits, he might issue a summons or warrant.

Service of summons at distant place.

43. When a summons is to be served at any place outside the Presidency town, the Magistrate may send the summons in duplicate to the local Magistrate of the place where the accused shall reside or be to be there served.

Proof of service in such cases and when service not proved.

44. When service of summons is effected at such distance as aforesaid, and also in cases where the person who shall have served the same shall not be present at the hearing of the complaint, the service may be proved by a solemn declaration, purporting to be made before a Magistrate, which declaration may be endorsed on the duplicate summons and returned to the Court whence the process issued, or by a copy of the summons countersigned by the person to whom it is addressed, or by a receipt under section 39.

Provisions applicable to all summonses under Act.

45. The provisions relating to a summons, its issue and service, contained in sections 37 to 44 (both inclusive), shall be applicable to every summons issued under this Act.

Provided that, when the person summoned is in the service of Government or of any Railway Company, the Court or Magistrate issuing the summons may send the summons to the head of the office in which the person summoned is employed; and such head shall thereupon cause the summons to be served on the person named therein.

CHAPTER VII.

OF THE WARRANT.

Form of warrant.

46. Every warrant issued by a Magistrate shall be in writing, and shall be signed and sealed by such Magistrate, and shall be in the form (B) given in the third schedule to this Act, or to the like effect.

Form of warrant of arrest.

A warrant issued under this Act remains in force until the person arrested is brought into the presence of the Magistrate who issued it or some other Magistrate of the town in which it was issued and so long as he remains before such Magistrate. If the person arrested is to be remanded to custody, an order must be made under section 68 or a warrant issued under section 104.

Magistrate may direct bail to be taken.

47. It shall be in the discretion of a Magistrate, in issuing a warrant for the arrest of any person, to direct by endorsement on the warrant that, if such person be willing and ready to give bail, in a sum to be fixed by the Magistrate, for his appearance before the Magistrate on a specified day (which sum and day shall be named in such endorsement) to answer the complaint, the officer to whom the warrant is directed shall accept such bail, and shall release from custody the person complained against.

Bail-bond to be forwarded.

If bail is given, the officer shall forward the bail-bond to the Magistrate.

Warrants to whom directed.

48. A warrant shall ordinarily be directed to a Police-officer; but the Magistrate issuing a warrant may, if immediate execution be necessary and no Police-officer be immediately available, direct it to any other person.

Warrant to several persons.

49. A warrant may be directed to several persons, and, when so directed, may be executed by all, or by any one or more of such persons.

Execution of warrant by Police-officer other than the one addressed.

50. A warrant directed to a Police-officer may also be executed by any other Police-officer whose name is endorsed upon the warrant by the officer to whom the warrant is directed or endorsed.

Magistrate issuing warrant may superintend its execution.

51. The Magistrate by whom a warrant of arrest is issued may attend personally for the purpose of seeing that the warrant is duly executed.

Arrest in presence of Magistrate.

Any Magistrate may also at any time direct the arrest, in his presence, of any person for whose arrest he is competent to issue a warrant.

Where warrant may be executed.

52. A warrant issued by a Magistrate shall ordinarily be executed in the district in which it was issued.

But if the person against whom the warrant is issued escapes, goes into, or is, in any place out of the district in which the warrant was issued, the warrant may be executed in such place.

Execution of warrant outside issuing Magistrate's jurisdiction.

53. A Magistrate may direct a warrant to be executed outside his local jurisdiction, either after endorsement by a Magistrate within whose local jurisdiction it is to be executed, or without such endorsement.

If the warrant is to be so endorsed, it may be sent by post to the Magistrate within whose local jurisdiction it is to be executed and by whom it is to be endorsed.

If the warrant is not to be endorsed, it shall be entrusted to a Police-officer, to be taken, either to a Magistrate, or to a Police-officer not below the rank of an officer in charge of a station, in whose local jurisdiction the warrant is to be executed.

Procedure on execution of warrant outside issuing Magistrate's jurisdiction.

54. If a warrant is executed, whether with or without endorsement, outside the district in which it was issued, the person arrested shall, unless the Magistrate

who issued the warrant be within twenty miles or be nearer than the Magistrate in whose local jurisdiction the arrest was made, or unless bail be taken under section 47, be carried before the Magistrate in whose local jurisdiction the arrest was made.

Procedure by Magistrate before whom person is brought on arrest under warrant from other jurisdiction.

55. A Magistrate or Police-officer to whom a warrant is directed for execution shall execute the same, or cause it to be executed, and any Magistrate before whom a person is brought under the provisions of section 54 shall, if the person arrested appears to be the person intended by the Magistrate who issued the warrant, direct his removal in custody to the Magistrate who issued the warrant,

or, if the offence be bailable, and the person arrested be ready and willing to give bail, shall take bail for his appearance before the Magistrate who issued the warrant, and the recognizance or bail-bond shall be forwarded to such Magistrate.

Proclamation for person absconding.

56. If any person accused of an offence not coming within section 53 absconds or conceals himself, so that, upon a warrant issued against him, he cannot be found, the Magistrate having jurisdiction shall, if he thinks, whether after taking evidence or not, that such person absconds or conceals himself for the purpose of avoiding the service of the warrant, issue a written proclamation, requiring him to appear to answer the complaint within a fixed period not less than thirty days.

Such proclamation shall be publicly read in some conspicuous place of the town or village in which the accused person usually resides, and shall be affixed on some conspicuous part of his ordinary place of abode, or on some conspicuous place of such town or village.

A copy of the proclamation shall also be affixed on some conspicuous part of such Magistrate's Court-house.

A statement by the Magistrate to the effect that the proclamation was duly made shall be conclusive evidence of due compliance with the law.

Attachment of property of person absconding.

57. Such Magistrate may order the attachment of any property, moveable or immoveable, or both, belonging to the person so absconding or concealing himself.

Such order shall authorize the attachment of any property within the jurisdiction of the Magistrate making the order; and it shall authorize the attachment of any property without the jurisdiction of such Magistrate, when endorsed by the Magistrate of the District in which such property is situated.

The attachment under this section shall, if the property ordered to be attached be land paying revenue to Government, be made through the Collector of the District in which the land is situate, and, in all other cases, by seizure under the order of the Magistrate having jurisdiction; or by the appointment of a manager and receiver; or by an order prohibiting the payment of rent to the absent person, as such Magistrate deems proper.

If the absent person does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of Government, but shall not be sold until the expiration of six months, unless it is of a perishable nature, or such Magistrate considers that the sale would be for the benefit of the owner.

Restoration of forfeited property.

58. When any person whose property has come under the disposal of Government under section 57 appears or is found within two years after the attachment of the property, and proves to the satisfaction of the Magistrate, that he did not abscond or conceal himself for the purpose of evading justice, such property, or, if the same has been sold, the proceeds thereof, shall be restored to him.

Magistrate's procedure on arrest, under his own warrant, for offence committed out of his jurisdiction.

59. On the arrest of a person for whose apprehension a warrant has been issued under the provisions of section 42, in respect of an offence known or suspected to have been committed in another district or division of a district, the Magistrate who issued the warrant shall, unless he is authorized to complete the inquiry himself, send the person arrested to the Magistrate within the limits of whose jurisdiction the offence is known or suspected to have been committed, or shall take bail for his appearance before such Magistrate, if the offence of which such person is suspected is bailable.

When the Magistrate who issued the warrant cannot satisfy himself as to the Magistrate to whom the person arrested should be sent, the case shall be reported for the orders of the High Court.

CHAPTER VIII.

GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS.

Permission to conduct prosecution.

60. A Magistrate inquiring into or trying any case may permit any person to conduct the case as prosecutor, but no person shall be entitled to do so without permission. Any person permitted to prosecute may conduct the prosecution personally or by counsel.

Right of accused to be defended.

61. Every person accused before a Magistrate of an offence may of right be defended by any barrister or attorney of a High Court, or by any pleader duly qualified under the law in force for the time being relating to pleaders.

Any such person may, with the permission of the Court (but not otherwise), employ any mukhtár or other person, not being a barrister, attorney or pleader, to assist him in his defence.

Where accused person does not understand proceedings.

If an accused person, though not insane, cannot be made to understand the proceedings, the Court may proceed with the inquiry or trial; and if such inquiry results in a committal, or if such trial results in a conviction, the proceedings shall be forwarded to the High Court, with a report of the circumstances of the case, and the High Court shall pass thereon such order as to it seems fit.

Criminal Courts to be open.

62. The place in which the Court of a Magistrate is held for the trial of any offence, or for the purpose of conducting an inquiry into any case triable by a High Court, shall be deemed an open and public Court, to which the public generally may have access, so far as the same can conveniently contain them.

But the Magistrate may, if he thinks fit, order that, during the inquiry into or trial of any particular case, no person shall have access to, or be, or remain in, the room or building used by the Court, without the consent or permission of the Court.

Compounding offences.

63. In the case of offences which may lawfully be compounded, injured persons may compound the offence out of Court, or in Court with the permission of the Court.

CHAPTER IX.

OF INQUIRY INTO CASES TRIABLE BY THE HIGH COURT.

Procedure by preliminary inquiries.

64. Cases, triable exclusively by a High Court in the exercise of its ordinary original criminal jurisdiction or which in the opinion of a Magistrate ought to be tried by such Court, shall be inquired into by a Magistrate, and in such inquiry he shall adopt the following procedure.

Examination of complainant and witnesses after prosecution.

65. When the accused person appears or is brought before the Magistrate, or, if his personal attendance is dispensed with, when the Magistrate thinks fit, the Magistrate shall take the evidence of the complainant and of such persons as are stated to have any knowledge of the facts which form the subject-matter of the accusation and the attendant circumstances.

Such evidence shall be taken in the manner described in clauses 2, 3 and 4 of section 75.

Examination to be in presence of accused.

66. The complainant and the witnesses for the prosecution shall be examined in the presence of the accused person, or of his agent, when his personal attendance is dispensed with and he appears by agent.

Accused may cross-examine.

The accused person or his agent shall be permitted to examine and re-examine his own witnesses, and to cross-examine the complainant and his witnesses.

Power of Magistrate to summon and examine any person.

67. The Magistrate may, at any stage of the proceedings, summon and examine any person whose evidence he considers essential to the inquiry, and recall and re-examine any person already examined.

Adjournment of inquiry and remand.

68. If, from the absence of a witness or from any other reasonable cause, it becomes necessary or advisable to defer the examination, or further examination, of witnesses, the Magistrate may, by a written order, from time to time adjourn the inquiry and remand the accused person for such time as is deemed reasonable, not exceeding fifteen days.

During the time that the accused person is so remanded, the Magistrate shall deal with him in accordance with the provisions of chapter XVII.

EXPLANATION.—After commencing the inquiry, if sufficient evidence has been obtained to raise a suspicion that the person accused may have committed an offence, and it appears likely that further evidence may be obtained by a remand, this is a reasonable ground for a remand.

When accused person to be discharged.

69. When a Magistrate finds that there are not sufficient grounds for committing the accused person to take his trial before the High Court, or for remanding him, he shall discharge him, unless it appears to the Magistrate that such person should be put on his trial before himself, in which case he shall proceed accordingly.

EXPLANATION I.—The absence of the complainant, except when the offence may lawfully be compounded, shall not be deemed sufficient ground for a discharge, if there appear other evidence of a nature rendering a trial desirable.

EXPLANATION II.—A discharge is not equivalent to an acquittal, and does not bar the revival of a prosecution for the same offence.

EXPLANATION III.—An order of discharge shall not ordinarily be made until the evidence of the witnesses named for the prosecution has been taken.

When accused to be committed for trial.

70. When evidence has been given before a Magistrate, which appears to justify him in sending the accused person to take his trial for an offence which is triable exclusively by the High Court, or which, in the opinion of the Magistrate, is one which ought to be tried by such Court, the accused person shall be sent for trial by such Magistrate before the High Court.

Framing of charge on which accused is to be tried.

71. When the Magistrate determines to send the accused person before the High Court for trial, he shall, after the evidence for the prosecution has been recorded, make a written instrument under his hand and seal, declaring with what offence the accused person is charged, and shall direct him to be tried by such Court on such charge.

Charge, &c., to be forwarded to High Court.

Such instrument, the record of the original enquiry, and any weapon or other article of property necessary to produce in evidence shall be sent to the Clerk of the Crown or other officer appointed in this behalf by the High Court.

Charge to be explained, and copy furnished, to accused.

72. As soon as the charge on which the accused person is to be tried has been prepared, it shall be read and explained to him, and a copy thereof shall be furnished to him, if he so requires.

List of witnesses for defence on trial.

73. The accused person shall be required at once to give in, orally or in writing, a list of witnesses whom he wishes to be summoned to give evidence on his trial before the High Court.

The Magistrate may, if he thinks proper, summon the persons so named to attend and give evidence at the enquiry; and if he does so, the commitment shall not be considered to have been made until such evidence has been taken.

Further list.

It shall be in the discretion of the Magistrate to allow the accused person to give in any further list of witnesses at a subsequent time.

CHAPTER X.

OF THE TRIAL OF CASES BY MAGISTRATES.

Cases may be tried summarily.

74. The following procedure shall be observed in the trial of cases by Magistrates under this Act.

In every such case the Magistrate shall record the following particulars:

(*a*) the serial number,

(*b*) the date of the commission of the offence,

(*c*) the name of the complainant,

(*d*) the name of the accused person,

(*e*) the offence complained of or proved,

(*f*) the prisoner's plea,

(*g*) the final order,

(*h*) the date of such order.

Record of evidence.

75. The Magistrate need not record the evidence of the witnesses in any case tried by him under this Act.

But if he think fit to record such evidence, it shall be sufficient either to take it down with his own hand or to cause it to be taken down in writing from his dictation in open Court. All evidence so taken down shall be signed by the Magistrate and shall be part of the record.

Evidence so taken down shall ordinarily be taken in the form of a narrative, but the Magistrate may in his discretion take down or cause to be taken down any particular question or answer.

Every Magistrate recording the evidence of a witness shall record such remarks as he thinks material respecting the demeanour of such witness while under examination.

Object and effect of complaint.

76. No formal charge need at any time be made against the accused person, and neither the complaint nor the process issued thereon shall be regarded otherwise than as notice to the accused person of the facts to be inquired into. The Magistrate may convict the accused person of any offence he is competent to try, and which, from the facts proved, the accused person appears to have committed, whatever may be the nature of the complaint or process. If a formal charge be made it shall be drawn up in accordance with the provisions contained in chapter XX.

Effect on proceedings of defect in complaint or process.

77. No defect in the complaint or process shall affect the validity of the proceedings, unless it appears that the accused person was actually misled by such defect; and, in considering whether or not he was so misled, the Magistrate shall have regard to the manner in which the accused person conducted his defence.

Accused person may be admitted to bail, or allowed to be at large on his personal recognizance.

78. If, upon the day appointed, the accused person appears voluntarily in obedience to the summons in that behalf served upon him, or is brought before the Magistrate by virtue of a warrant or otherwise, the Magistrate shall deal with him in accordance with chapter XVII.

Dismissal or adjournment on non-appearance of complainant.

79. If upon the day appointed for the appearance of the accused person, or any day subsequent thereto to which the case may be called on, the complainant does not appear, the Magistrate shall dismiss the complaint, unless for some reason he thinks proper to adjourn the hearing of the same to some other day. Such adjournment shall be made upon such terms as the Magistrate thinks fit.

Procedure on appearance of parties.

80. On the appearance of both parties on the day fixed for the trial, the substance of the complaint shall be stated to the accused person, and he shall be asked if he has any cause to show why he should not be convicted.

If the accused person admit the truth of the complaint, his admission shall be recorded, and if he shows no sufficient cause why he should not be convicted, the Magistrate may convict him accordingly.

Procedure when admission is made.

81. If the accused person does not admit the truth of the complaint, the Magistrate shall proceed to hear the complainant and such witnesses as he produces in support of his complaint, and also to hear the accused person and such witnesses as he produces in his defence.

Adjournment.

82. Before or during the hearing of any complaint, the Magistrate may, in order to secure the attendance of witnesses or for any other reason adjourn the hearing of the same to a day to be then appointed and stated in the presence and hearing of the party or parties.

If on the day to which such hearing or such further hearing has been so adjourned, the accused person does not appear, the Magistrate may issue his warrant for the arrest of such person.

If the complainant does not appear, the Magistrate may dismiss the complaint.

Compensation to person injured or complained against.

83. In every case in which any person is given in charge to any Police-officer, or in which any information or complaint of any offence is laid or made before any Magistrate and is not further prosecuted, or in which, if further prosecuted, it appears to the Magistrate by whom the case is heard that there was no sufficient ground for making the charge, the Magistrate may award such compensation, not exceeding fifty rupees, to be paid by the informer or complainant to the party informed or complained against, for his loss of time and expenses in the matter, as to the Magistrate seems meet.

In such cases, if more persons than one are accused in the complaint, the Magistrate may, in like manner, award compensation not exceeding fifty rupees to each of them.

All compensation awarded under this section may be recovered as if it were a fine.

Withdrawal of complaint.

84. If a complainant, at any time before a final order is passed in any case, satisfies the Magistrate that there are sufficient grounds

for permitting him to withdraw his complaint, the Magistrate may permit him to withdraw it.

A complaint withdrawn under this section shall not again be entertained.

Acquittal.

85. If the Magistrate, in any case tried under this chapter, finds the accused person not guilty, he shall record an order of acquittal.

Sentence.

If the accused person is convicted, the Magistrate shall pass sentence upon him, and, in cases appealable under this Act, shall record a brief statement of the reasons for the conviction, together with the substance of the evidence on which the conviction was had, unless he has already recorded the evidence itself in the manner described in section 75.

When the personal attendance of the accused person during the trial has been dispensed with, the sentence of the Magistrate, if the sentence be for fine only, may be pronounced in the presence of such accused person's agent, if he has been permitted to appear by agent; or the accused person may be required to attend to hear such sentence.

How the Magistrate is to proceed when, after commencement of trial, he finds the case beyond his jurisdiction.

86. In any trial before a Magistrate, in which it may appear at any stage of the proceedings that from any cause the case is one which the Magistrate is not competent to try, or one which, in the opinion of such Magistrate, ought to be tried by the High Court, the Magistrate shall stop further proceedings under this chapter, and shall, either submit the case to the Magistrate having jurisdiction, or commit the accused person to the High Court in accordance with the provisions contained in chapter IX.

Procedure in cases not of a criminal nature.

87. In all cases not of a criminal nature, if no sufficient cause be shown for the non-appearance of the person against whom complaint has been made, the Magistrate upon proof of the service of the summons, may proceed to hear and determine the case in his absence, or may, if he think fit, issue his warrant for apprehending and bringing the said person before him or some other Magistrate.

Provided that the prosecution in any such case shall be commenced within three months after the commission of the offence.

CHAPTER XI.

APPEALS.

No appeal in case of acquittal, except on behalf of Government.

88. The Local Government may direct an appeal by the Public Prosecutor or other officer specially or generally appointed in this behalf, from a Magistrate's order of acquittal, or of dismissal, or of leave to withdraw operating as an acquittal; but in no other case shall there be an appeal from a judgment or order.

Such appeal shall lie to the High Court. No appeal shall be presented under this section after six months from the date of the order complained of.

The High Court may, in any case so appealed, direct a new trial by another Court, or may pass such order as may be warranted by law.

Appeal.

89. Any person convicted on a trial held by a Magistrate may appeal to the High Court if the sentence complained of involves imprisonment for a term exceeding one year or a fine exceeding five hundred rupees:

Provided that, where an accused person has been convicted on his own plea, no appeal shall lie except as to the extent or legality of the sentence.

For the purposes of the Indian Limitation Act, all appeals under this Act and all applications to the High Court for the exercise of the powers given by Act No. X of 1875, section 147, shall be deemed to be appeals under the Code of Criminal Procedure.

Copy of judgment to accompany petition.

90. Every petition of appeal under this Act shall be accompanied by a copy of the order appealed against.

Copies of proceedings.

91. If any person affected by a sentence or other order passed by a Court under this Act desires to have a copy of any proceeding, he shall, on applying for such copy, be furnished therewith provided that he pay for the same, unless the Court, for some special reason, sees fit to furnish it free of cost.

Procedure when appellant in jail.

92. If the party appealing be in jail, he shall be at liberty to present his petition of appeal, and the copy of the judgment or order appealed against, to the officer in charge of the jail, who shall thereupon forward the petition to the proper appellate authority.

Rejection of appeal.

93. The High Court shall fix a reasonable time within which the appellant or his counsel or authorized agent may appear, and it may reject the appeal if, on a perusal of the petition of appeal and the copy of the judgment or order appealed against, and after hearing the appellant or his Counsel or authorized agent, if he appears, it considers that there is no sufficient ground for questioning the correctness of the decision or for interfering with the sentence or order appealed against.

Before rejecting the appeal, the Court may call for and peruse all or any part of the proceedings of the Magistrate, but shall not be bound to do so.

In rejecting an appeal under this section, the High Court shall not enhance the sentence.

Notice of appeal.

94. If the High Court decide to hear the appeal, it shall cause notice to be given to the appellant and shall also give notice to the Magistrate whose judgment or order has been appealed against, who shall inform, if necessary, the public prosecutor, Government pleader, or other officer empowered by Government in that behalf, of the day on which such appeal will be heard,

and in cases under section 88, where the High Court decides to hear the appeal, it shall also cause notice to be given to the respondent.

High Court may alter or reverse finding and sentence, or enhance sentence.

95. The High Court, after perusing the proceedings of the Magistrate, and after hearing the appellant, his counsel or agent, if they appear, and the public prosecutor, Government pleader or other officer em-

powered by Government or by the Magistrate in that behalf, if he appears, may alter or reverse the finding and sentence or order of such Court, and may, if it see reason to do so, enhance any punishment that has been awarded or order the appellant to be re-tried before any Magistrate or before the High Court.

Provided that the High Court shall not inflict a greater punishment than is prescribed for the offence by the Indian Penal Code.

Suspension of sentence pending appeal. Release of appellant on bail.

96. In any case in which an appeal is allowed, the High Court may, pending the appeal, order that the sentence be suspended, and, if the appellant be in confinement for an offence which is bailable, may order that he be released on bail.

The period during which the sentence is suspended shall be omitted in reckoning the completion of the punishment.

High Court may make or direct further inquiry.

97. In any case in which an appeal has been allowed, the High Court, if it thinks further inquiry or additional evidence upon any point bearing upon the guilt or innocence of the appellant to be necessary, may either make such further inquiry and take such additional evidence itself, or may direct such inquiry to be made and additional evidence to be taken by a Magistrate.

If the High Court takes further evidence and passes judgment and sentence, no fresh right of appeal arises in respect of such sentence.

When the evidence has not been taken before itself, the result of the further inquiry and the additional evidence shall be certified to the High Court, and such Court shall thereupon proceed to dispose of the appeal.

Unless the High Court otherwise directs, the presence of the appellant may be dispensed with when the further inquiry is made or evidence taken.

The provisions of this Act relating to summoning and enforcing the attendance of witnesses and their examination shall, so far as may be, apply to witnesses examined under this section.

Finding or sentence when reversible by reason of error or defect in charge or proceedings.

98. No order passed by a Magistrate shall be reversed or altered on appeal on account of any error or defect, either in the charge or in the proceedings on or before trial, or on account of the improper admission or rejection of any evidence, unless such error or defect has occasioned a failure of justice, either by affecting the due conduct of the prosecution, or by prejudicing the prisoner in his defence.

No irregularity in the proceedings up to trial is a sufficient ground for reversing any judgment, sentence or order made or passed in a trial properly held.

High Court may reduce punishment.

99. In case the accused person has been sentenced to a larger amount of punishment than could have been awarded for the offence which, in the judgment of the High Court, is proved by the evidence, the High Court may reduce the punishment within the limits prescribed by the Indian Penal Code or any law for the time being in force for such offence.

Procedure in case of conviction by Court not having jurisdiction.

100. When a Magistrate has convicted a person of an offence not triable by such Magistrate, the High Court shall annul the conviction and sentence of such Magistrate, and direct the trial of the case by a Court of competent jurisdiction.

Unless otherwise provided, no appeal to lie from order of Magistrate.

101. No appeal shall lie from any order of a Magistrate, except in the cases provided for by this Act or by any law for the time being in force.

Illustrations.

(*a.*) There is no appeal against an order refusing to grant compensation, or to grant an enhanced award.

(*b.*) There is no appeal against an order of a competent Magistrate dismissing a complaint.

(*c.*) There is no appeal against an order requiring a person to furnish security to keep the peace.

(*d.*) There is no appeal against an order requiring a person to furnish security to be of good behaviour.

(*e.*) There is no appeal against an order of maintenance.

(*f.*) There is no appeal against the order of a competent Court refusing to order a commitment.

(*g.*) There is no appeal against an interlocutory order, such as a claim to appear by agent.

Notice to Magistrate concerned, of intention to make application under Act X of 1875, s. 147.

102. When an application is made to the High Court for the exercise of the powers conferred by the High Courts' Criminal Procedure Act, 1875, section 147, the party making such application shall give notice to the Magistrate, to whose decision such application relates, seven days at least before such application is made, and shall at the same time furnish such Magistrate with a copy of the grounds on which such application is to be made.

Statement by Magistrate of grounds of his decision, to be considered by High Court.

103. When the decision of any Magistrate is called in question in the High Court by any process issued on an *ex parte* application, the Magistrate may submit with the record a statement setting forth the grounds of his decision and any facts he may consider material to the issue; and this statement the Court shall consider before determining the matter so as to overrule or set aside the decision or acts of the Magistrate to which the application relates, and notwithstanding that no Counsel appear on behalf of the Magistrate.

CHAPTER XII.

EXECUTION.

Court to send accused with warrant for execution of sentence to officer in charge of jail.

104. In cases tried by a Magistrate, the Court passing the sentence shall forward the accused person with a warrant for the execution of the sentence, to the officer in charge of the jail of the Presidency town in which the trial was held,

or where there are more such jails than one, to such of them as the Local Government from time to time directs in this behalf.

The warrant shall state the offence of which the accused person has been convicted, and the period during which he is to be imprisoned, and the nature of the imprisonment or other punishment:

Sentence of whipping.

105. Where the accused person is sentenced to whipping, the sentence may be executed at such place and time as the Court may direct.

Form and direction of warrant of commitment.

106. Every warrant for the commitment of a person to custody shall be in writing, and signed and sealed by the Magistrate who issues it, and shall be directed to the officer in charge of the jail aforesaid, and shall be in the form (C or D, as the case may be) given to the third schedule to this Act or to the like effect.

Levy of fine.

107. Whenever an offender is sentenced to pay a fine, the Magistrate may issue a warrant for the levy of the amount by distress and sale of any moveable property belonging to the offender, whether or not the offence be punishable with fine only, and whether or not the sentence direct that, in default of payment of the fine, the offender shall suffer imprisonment.

Such warrant may be executed within the jurisdiction of the Magistrate, and it shall authorize the distress and sale of any moveable property belonging to the offender without the jurisdiction of the said Magistrate, when endorsed by the Magistrate of the District in which such property is situated.

Section to what cases applicable.

This section shall not apply to cases in which any special procedure is laid down, by any special or local law in force for the time being, for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Detention of offender until return made to distress-warrant.

When a warrant of distress is issued, the Magistrate may order the offender to be detained in custody until return can be conveniently made to such warrant, unless the offender enter into a recognizance with or without sureties, conditioned for his appearance before the Magistrate on the day appointed for such return, such day not being more than eight days from the time of taking the recognizance; but if, before issuing such warrant of distress, it appears to the Magistrate, by the admission of the offender or otherwise, that no sufficient distress can be had within the jurisdiction of such Magistrate whereon to levy such fine or penalty, he may, if he think fit, refrain from issuing such warrant of distress.

Distress not illegal nor distrainer a trespasser for defect of form in proceedings.

No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser on account of any defect or want of form in the summons, conviction, warrant of distress or other proceeding relating thereto; nor shall such party be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity may recover full satisfaction for the special damage in any Court of competent jurisdiction.

Who may issue warrant.

The warrant may be issued either by the Magistrate who passes the sentence or by his successor in office.

Payment of fine in compensation.

108. Whenever a Magistrate imposes a fine under any law in force for the time being, the Magistrate may order the whole or any part of the fine to be paid in compensation,

(*a*) for expenses properly incurred in the prosecution,

(*b*) for the offence complained of, where such offence can, in the opinion of the Magistrate, be compensated by money.

Such payment shall be made, as the Magistrate thinks fit, to or for the benefit of the complainant, or the person injured, or both.

If the fine be awarded in a case which is subject to appeal, the amount awarded shall not be paid until the period prescribed for prosecution of the appeal has elapsed, or, if an appeal be prosecuted, till after the decision of the appeal.

In any subsequent civil proceedings relating to the same matter, the Court shall take into account any sum which may have been awarded under this section.

Imprisonment in default of payment of fine.

109. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the Magistrate shall be guided by the provisions of sections 64 and 65 of the Indian Penal Code in awarding the period of imprisonment in default of payment of the fine:

Provided that, in no case decided by a Magistrate, where imprisonment has been awarded as part of the substantive sentence, shall the period of imprisonment awarded in default of payment of the fine exceed one-fourth of the period of imprisonment which he is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Proviso as to cases decided by Magistrate.

Where a person is sentenced to fine only, the Magistrate may award such term of imprisonment in default of payment of fine as is allowed by law, provided the amount does not exceed the Magistrate's powers under this Act.

Whipping, if awarded in addition to imprisonment, when to be inflicted.

110. When the punishment of whipping is awarded, in addition to imprisonment, in a case which is subject to appeal, the whipping shall not be inflicted until fifteen days from the date of such sentence, or, if an appeal be made within that time, until the sentence is confirmed by the High Court; but the whipping shall be inflicted immediately on the expiry of the fifteen days, or, in case of an appeal, immediately on the receipt of the order of the High Court confirming the sentence.

Mode of inflicting punishment.

111. In the case of a person of or over sixteen years of age, the punishment of whipping shall be inflicted with such instrument, in such mode, and on such part of the person, as the Local Government directs; and, in the case of a person under sixteen years of age, it shall be inflicted in the way of school-discipline with a light rattan.

In no case, if the cat-of-nine-tails be the instrument employed, shall the punishment of whipping exceed one hundred and fifty lashes, or, if the rattan be employed, shall the punishment exceed thirty stripes.

The punishment shall be inflicted in the presence of the officer in charge of the jail.

Punishment not to be inflicted if offender not in fit state of health.

112. No sentence of whipping shall be carried into execution unless a medical officer, if present, certifies, or, if there is not a medical officer present, unless it appears to the officer present, that the offender is in a fit state of health to undergo the punishment.

Stay of execution.

If, during the execution of a sentence of whipping, a medical officer certifies, or it appears to the officer present, that the offender is not in a fit state of health to undergo the remainder of the punishment, the whipping shall be finally stopped.

Not to be executed by instalments.

No sentence of whipping shall be executed by instalments.

Procedure if punishment cannot be inflicted under section 112.

113. In any case in which, under section 112, a sentence of whipping is, wholly or partially, prevented from being carried into execution, the offender shall be kept in custody till the Magistrate who passed the sentence can revise it; and the said Magistrate may, at his discretion, either order the discharge of such offender, or sentence him, in lieu of whipping, or in lieu of so much of the sentence of whipping as was not carried out, to imprisonment for any period, which may be in addition to any other punishment to which he may have been sentenced for the same offence:

Provided that the whole period of imprisonment to which such offender is sentenced shall not exceed that to which he is liable by law, or that which the Magistrate is competent to award.

Sentence in cases of conviction of several offences.

114. When a person is convicted, at one trial, of two or more offences punishable under the same or different sections of any law for the time being in force, the Magistrate may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such enactment or enactments, which such Magistrate is competent to inflict; such penalties, when consisting of imprisonment, to commence the one after the expiration of the other.

It shall not be necessary for the Magistrate, by reason only of the aggregate punishment for the several offences being in excess of the punishment which it is competent to inflict on conviction of a single offence, to send the offender for trial before the High Court:

Provided that the punishment shall not in the aggregate exceed twice the amount of punishment which the Magistrate is, by his ordinary jurisdiction, competent to inflict.

Trial of previously convicted persons.

115. Whoever, having been convicted of an offence punishable under chapter XII or chapter XVII of the Indian Penal Code with imprisonment for a term of three years or upwards, is again accused of any offence punishable under either of those chapters with imprisonment for a term of three years or upwards, shall ordinarily, if the Magistrate considers him an habitual offender, be committed to the High Court.

Currency of sentence on escaped convict.

116. When sentence is passed on an escaped convict, for such escape or for any other offence, the Magistrate may direct the sentence to take effect immediately, or after such convict has suffered imprisonment or transportation, as the case may be, for a further period, equal to that which remained unexpired of his former sentence at the time of his escape.

Commencement of sentence on offender already sentenced for other offence.

117. When sentence is passed on a person already under sentence of imprisonment or transportation, and the sentence is for imprisonment, the Magistrate shall direct that such imprisonment shall commence at the expiration of the imprisonment or transportation to which such person has been previously sentenced:

Proviso.

Provided that nothing in this section shall be held to excuse such person from any part of the punishment to which he is liable upon such former or subsequent conviction.

CHAPTER XIII.

SPECIAL RULES OF EVIDENCE IN CRIMINAL CASES.

Evidence of medical witness.

118. The examination of a civil surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any criminal trial, although the person examined is not called as a witness.

The Court may summon such civil surgeon or other medical witness, if it sees sufficient cause for doing so.

Court may summon medical witness.

Report of chemical examiner.

119. Any document purporting to be a report from the chemical examiner, or assistant chemical examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any criminal trial, or in any preliminary inquiry relating thereto, may, if it bears his signature, be used as evidence in any criminal trial.

The Court may presume that the signature of any such document is genuine, and that the person signing it held the office which he professed to hold at the time when he signed it.

Previous conviction or acquittal how proved.

120. Where a previous conviction or acquittal is to be proved against an accused person, application shall be made to the officer in whose custody the records of such trial may be.

It shall not be necessary to produce the record of the conviction or acquittal of such accused person, or a copy thereof, but an extract may be produced

in proof of such conviction or acquittal, if certified, under the hand of the clerk of the Court or other officer having the custody of the records of the Court in which such conviction or acquittal was had, or by the deputy of such clerk or officer, to be a copy of the charge, finding and sentence, as the case may be.

Record of evidence in absence of accused.

121. If an accused person absconds, and after due pursuit cannot be arrested, any Court competent to try or to commit such accused person for trial for the offence complained of may, in his absence, record the statements of the persons acquainted with the facts; and such depositions may, on the arrest of such person, be put in on his trial for such offence, if it is not practicable to procure the attendance of such witnesses.

Conviction on evidence partly recorded by one Magistrate and partly by another.

122. Whenever any Magistrate, after having heard part of the evidence in a case, ceases to exercise jurisdiction in such case, and is succeeded by another Magistrate who has and who exercises jurisdiction in such case, such last-named Magistrate may decide the case on the evidence partly recorded by his predecessor and partly recorded by himself, or he may re-summon the witnesses and commence afresh:

Provided that the accused person may, when the second Magistrate commences his proceedings, demand that the witnesses shall be re-summoned and re-heard, in which case the trial shall be commenced afresh:

Provided also that the High Court may set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was had, if such Court is of opinion that the accused person has been materially prejudiced thereby; and may order a new trial.

Continuation of proceedings not completed by Magistrate commencing inquiry.

123. Whenever, from any cause, a Magistrate making an inquiry under this Act is unable to complete the proceedings himself, any other Magistrate having jurisdiction to inquire and to commit may complete the case and proceed as if he had recorded all the evidence himself.

When personal attendance of witness may be dispensed with.

124. Whenever in the course of a trial before a Magistrate it appears that the attendance of a witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, such Magistrate may dispense with the personal attendance of such witness.

Such Magistrate may direct a commission to the Magistrate of the District, or to a Magistrate of the first class, in whose jurisdiction such witness may be. The Magistrate to whom the commission is directed shall proceed to take the evidence of such witness as directed in section 390 of the Code of Criminal Procedure.

Issue of commission and procedure thereunder.

Commission in case of witness being within jurisdiction of a High Court.

If the witness is within the local limits of the ordinary original criminal jurisdiction of any of the High Courts of Judicature at Fort William, Madras and Bombay, the Court dispensing with his personal attendance may direct a commission to any Magistrate within such limits, and such Magistrate shall have the like power to compel the attendance and examination of witnesses as he possesses for that purpose in cases pending before him.

Prosecutor and accused may examine witness.

The prosecutor and the accused person may forward interrogatories, upon which the officer to whom the commission is directed shall examine the witness, or the prosecutor or accused person may so appear by authorised agent.

After any commission issued under this section has been duly executed, it shall be returned, together with the deposition of the witness examined thereunder, to the Court out of which it issued; and the commission, the return thereto, and the deposition of such witness may be used as evidence in the case and shall form part of the record.

CHAPTER XIV.

OF THE EXAMINATION OF ACCUSED PERSONS.

Examination of accused.

125. In all inquiries and trials under this Act, the Magistrate may from time to time, at any stage of the inquiry or trial and without previously warning the accused person, examine him, and put such questions to him as he considers necessary.

The accused person shall not render himself liable to punishment for refusal to answer such questions, or for giving false answers to them, but the Magistrate shall draw such inference as may to him seem just from such refusal or false answers.

EXPLANATION.—The answer given by an accused person may be put in evidence against him, not only in the case under inquiry, but also in trials for any other offence which his replies may tend to show he has committed.

Examination of accused how recorded.

126. Whenever an accused person is examined in the course of a preliminary enquiry into a case triable by the High Court, the whole of such examination, including every question put to him and every answer given by him, shall be recorded in full, and shall be shown or read to him, and he shall be at liberty to explain or add to his answers.

When the whole is made conformable to what he declares is the truth, the examination shall be attested by the signature of the Magistrate, who shall certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person.

No influence to be used to induce disclosure.

127. Except as is provided in section 128, no influence, by means of any promise or threat or otherwise, shall be used to the accused person to induce him to disclose or withhold any matter within his knowledge.

Magistrate may tender pardon to accomplice.

128. A Magistrate may, after recording his reason for so doing, tender a pardon to any one of the persons supposed to have been directly or in-

directly concerned in, or privy to, any offence specified in column seven of the second schedule hereto annexed as triable exclusively by the High Court, on condition of his or their making a full, true and fair disclosure of the whole of the circumstances, within his or their knowledge, relative to the crime committed, and every other person concerned in the perpetration thereof.

Any person accepting a tender of pardon under this section shall be examined as a witness in the case, under the rules applicable to the examination of witnesses.

Such person, if not on bail, shall be detained in custody pending the termination of the trial.

When Magistrate or High Court may direct commitment of person to whom pardon has been tendered.

129. When a pardon has been tendered under section 128, if it appears to the Magistrate before the trial, or to the High Court, that any person who has accepted such offer of pardon has not conformed to the conditions under which the pardon was tendered, either by wilfully concealing anything essential, or by giving false evidence, such Magistrate or Court may commit, or direct the commitment of, such person, for trial for the offence in respect of which the pardon was so tendered.

The statement made by a person under pardon, which pardon has been withdrawn under this section, may be put in evidence against him.

CHAPTER XV.

OF THE ATTENDANCE OF WITNESSES.

Power to summon material witness or examine person present.

130. Any Magistrate may, at any stage of any proceeding, inquiry or trial, summon, in the manner provided by chapter VI, any witness, or examine any person in attendance though not summoned as a witness, and it shall be the Magistrate's duty to do so if the evidence of such person appears essential to the just decision of the case.

When warrant may issue in first instance.

131. If a Magistrate has reason to believe that any witness whose attendance is required will not attend to give evidence without being compelled to do so, he may, instead of issuing a summons, issue a warrant of arrest in the first instance.

Procedure when warrant cannot be served.

132. If such warrant cannot be executed, and the Magistrate considers that the witness absconds or conceals himself for the purpose of avoiding the service thereof, he may issue a proclamation, requiring the attendance of such witness to give evidence at a time and place to be named therein, to be affixed in some conspicuous part of such witness' ordinary place of abode, or if he has no such abode, of the Court of the Magistrate.

If the witness does not attend at the time and place named in such proclamation, the Magistrate may order the attachment of any moveable property belonging to such witness, to such amount as seems reasonable, not being in excess of the amount of costs of attachment and of any fine to which the witness may be liable under the provisions of the following section.

Such order shall authorize the attachment of any moveable property within the jurisdiction of the Magistrate by whom it was made; and it shall authorize the attachment of any moveable property without the jurisdiction of the said Magistrate, when endorsed by the Magistrate of the District in which such property is situated.

Release of attached property if witness appearing and satisfying Magistrate.

133. If the witness appears and satisfies such Magistrate that he did not abscond or conceal himself for the purpose of avoiding the execution of the warrant, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Magistrate shall direct that the property be released from attachment, and shall make such order in regard to the costs of the attachment as to such Magistrate seems fit.

Sale of property if witness not satisfying Magistrate.

If such witness does not appear, or, appearing, fails to satisfy the Magistrate that he did not abscond or conceal himself for the purpose of avoiding the execution of the warrant, and that he had not such notice of the proclamation as aforesaid, the Magistrate may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of any fine which may be imposed upon such witness under the provisions of section 172 of the Indian Penal Code.

If the witness pays to such Magistrate the costs and fine as aforesaid, his property shall be released from attachment.

Power to order prisoner in jail to be brought up for examination.

134. When any Magistrate is desirous of examining any prisoner confined in any civil or criminal jail as a witness or accused person in any case pending before him, it shall be lawful for such Magistrate to issue an order to the officer in charge of the said jail, requiring him to bring such prisoner in proper custody, at a time to be therein named, to the Police Court, for examination; and the officer in charge of the said jail, on receipt of such order, shall act in accordance therewith, and shall provide for the safe custody of the prisoner during his absence from the prison for the purpose aforesaid.

Arrest of person disobeying summons.

135. If any person summoned to give evidence neglects or refuses to appear at the time and place appointed by the summons, and no reasonable excuse is offered for such neglect or refusal, the Magistrate, upon proof of the summons having been duly served, may issue a warrant under his hand and seal to bring such person before him to testify as aforesaid.

Commital of person refusing to answer.

136. If any witness summoned or brought before a Magistrate refuses to answer such questions as are put to him, without offering any reasonable excuse for such refusal, such Magistrate may, by warrant under his hand and seal, commit him to custody for any term not exceeding seven days, unless in the meantime such person consents to be examined and to answer; after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 177 or 178.

Inquiries.

Procedure in inquiries preliminary to commitment.

137. In inquiries preliminary to commitment under this Act to a High Court, the Magistrate making the inquiry shall summon the witnesses for the prosecution to appear before him, and shall take their evidence against the accused person. The Magistrate may, in his discretion, summon or examine any witness offered on behalf of the accused person to answer or disprove the evidence against him.

Power to summon supplementary witnesses.

The Magistrate may summon and examine supplementary witnesses after commitment and before the commencement of the trial, and bind them over to appear and give evidence. Such examination shall, if possible, be taken in the presence of the accused person.

Summons to witnesses when accused person is to be committed.

138. In such inquiries, when the person accused is to be committed for trial, and has given in any list of witnesses mentioned in section 78, the Magistrate may either summon the witnesses to appear before the High Court, or leave them to be summoned by the Clerk of the Crown.

Recognizances of prosecutors and witnesses.

139. Prosecutors and witnesses for the prosecution and defence, whose attendance is necessary before the High Court, and who appear before the Magistrate, shall execute before him recognizances, in the form (F) given in the third schedule to this Act, or to the like effect, to be in attendance when called upon at the High Court, to prosecute or to give evidence, as the case may be.

Detention in custody in case of refusal to attend or to execute recognizance.

If any prosecutor or witness refuses to attend before the High Court, or to execute the recognizance above directed, the Magistrate may detain him in custody until he executes such recognizance, or until his attendance at the High Court is required, when the Magistrate shall send him under custody to the High Court.

Witnesses.

In cases tried upon summons.

140. In the case of offences punishable with fine only or with imprisonment for a term not exceeding six months, or with both, the Magistrate may summon any person who appears to him likely to give material evidence on behalf of the complainant or the accused.

Ordinarily it shall be the duty of the complainant and accused to produce their own witnesses.

In such cases, it shall be in the discretion of the Magistrate to summon any witnesses named by the complainant or the accused; and he may require, in such cases, a deposit of the expenses of a witness before summoning him.

In cases tried upon warrant.

141. In the case of all other offences, the Magistrate shall ascertain from the complainant, or otherwise, the names of any persons who may be acquainted with the facts and circumstances of the case, and who are likely to give evidence for the prosecution, and shall summon such of them to give evidence before him as he thinks necessary.

The Magistrate shall also, subject to the provisions of section 137, summon any witness and examine any evidence that may be offered in behalf of the accused person, to answer or disprove the evidence against him, and may, for that purpose, at his discretion, adjourn the trial from time to time.

Of Securing Documentary Evidence.

Procedure for obtaining production of document required as evidence.

142. Whenever a Magistrate considers that the production of any document is necessary or desirable for the purpose of any investigation or judicial proceeding, such Magistrate may issue a summons to the party in whose keeping such document is believed to be, requiring him to attend and produce such document at the time and place stated in the summons.

When warrant to search for documents may issue.

143. If there appears reason to believe that the person to whom the summons is addressed will not produce it as directed in the summons, such Magistrate may issue a search-warrant for the document in the first instance.

Power to impound document produced.

144. Any Magistrate may, if he thinks fit, impound any document produced before him, or may, at the conclusion of the proceedings, order such document to be returned to the person who produced it.

CHAPTER XVI.

OF SEARCH-WARRANTS.

Search-warrant when grantable.

145. When a Magistrate considers that the production of anything is essential to the conduct of an inquiry into an offence known or suspected to have been committed, or to the discovery of the offender,

or when he considers that such inquiry or discovery will be furthered by the search or inspection of any place,

he may grant his search-warrant; and the officer charged with the execution of such warrant may search or inspect any place within the jurisdiction of the Magistrate.

The Magistrate issuing such warrant may, if he see fit, specify in his warrant the place or part to which only the search or inspection shall extend; and the officer charged with the execution of such warrant shall then search or inspect only the place or part so specified.

Procedure as to letter in custody of Postal Department.

146. If any letter in the custody of the Postal Department is wanted for the purpose of any criminal proceeding, a Magistrate may, if he thinks fit, direct the postal authorities to deliver up any such letter.

Direction of search-warrant.

147. A search-warrant shall ordinarily be directed to a Police-officer; but the Magistrate issuing the warrant may, if immediate search is necessary and no Police-officer be immediately available, direct it to any other person.

Warrant to Police-officer may be executed by his subordinate.

148. A search-warrant directed or endorsed to a Police-officer may, if he is not able to proceed in person, be executed by any other Police-officer.

In such case the name of such Police-officer shall be endorsed upon the warrant by the officer to whom it is directed or endorsed.

Endorsement.

149. When it is necessary for a search-warrant to be executed out of the Presidency town in which it was issued, any Magistrate within whose local jurisdiction the warrant is to be executed shall endorse his name thereon.

Execution of search-warrant out of district in which issued.

Such endorsement shall be sufficient authority for the Police-officer charged with the execution of the warrant to execute the same within the said jurisdiction.

Or the search-warrant may be directed to the Magistrate within whose local jurisdiction the search is to be made; and he shall thereupon endorse his name on such warrant, and enforce its execution in the same manner as if it had been issued by himself.

150. Whenever there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate in whose district the warrant is to be executed will prevent the discovery of the thing for which search is to be made, the Police-officer charged with the execution of the warrant may execute the same, in any place beyond the district in which it was issued, without the endorsement of the Magistrate in whose local jurisdiction that place is situate.

Search-warrants may, in emergent cases, be executed without endorsement.

If the thing for which search is made is found in such place, it shall, when the place where the thing is found is nearer to the Magistrate having jurisdiction in such place than to the Magistrate who issued the warrant, be immediately taken before the Magistrate in whose local jurisdiction it is found; and unless there be good cause to the contrary, such Magistrate shall make an order authorizing it to be taken to the Magistrate who issued the warrant.

Thing found to be taken to Magistrate within whose jurisdiction it is found.

Order thereon.

If the thing be not found after such search, the Police-officer making the same shall, in addition to the return made to the Magistrate who issued the warrant, report the fact to the Magistrate in whose local jurisdiction the search was made.

151. Whenever it appears necessary, a Magistrate may, by his warrant, order search to be made in a place out of his jurisdiction, and may direct that the warrant be executed either after or without obtaining the endorsement of the Magistrate within whose jurisdiction the search is to be made.

Magistrate may issue search-warrant to be executed in place out of his jurisdiction.

When a Magistrate issues a warrant under this section, he shall inform the Magistrate within whose local jurisdiction the place to be searched is situate.

152. A Magistrate issuing a search-warrant to be executed in any place out of the jurisdiction of the Magistrate, may direct the warrant to any Magistrate within whose local jurisdiction such place is situate, and may send the same by post.

Magistrate may send search-warrant by post to Magistrate having jurisdiction.

On receipt of such warrant by the Magistrate to whom it is directed, he shall endorse his name thereon, and enforce its execution in the same manner as if it had been originally issued by himself.

Endorsement and execution by such Magistrate.

In such case, any property found on search made may be dealt with as provided in section 150.

153. If the Magistrate, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or of property which has been fraudulently obtained,

Search of house suspected to contain stolen property or forged documents.

or for the deposit or sale or manufacture of forged documents, or counterfeit Government stamps, or counterfeit coin, or instruments or materials for counterfeiting coin or for forging,

or that any forged documents, or counterfeit stamps, or false seals, or counterfeit coin, or instruments or materials used for counterfeiting coin, or for forging, are kept or deposited in any place,

he may by his warrant authorize any Police-officer above the rank of a constable to enter, with such assistance as may be required, and by force if necessary, any such place, and to search all such parts of the same as are specified in the warrant, and to seize and take possession of any property, documents, stamps, seals or coins therein found, which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also of any such instruments and materials as aforesaid.

And if upon search thereupon made, such property, documents, stamps, seals, coins, instruments or materials be found, then to convey the same before a Magistrate, or to guard the same on the spot until the offenders are taken before a Magistrate or otherwise dispose thereof in some place of safety; and moreover to take into custody and carry before the said Magistrate every person found in such place, who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, stamps, seals, coins, instruments or materials knowing or having reasonable cause to suspect the said property to have been stolen, or otherwise unlawfully obtained, or the said documents, stamps, seals, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or for forging.

154. The Magistrate by whom a search-warrant is issued may attend personally for the purpose of seeing that the warrant is duly executed.

Magistrate may attend personally.

The Magistrate may also direct a search to be made in his presence, of any place for the search of which he is competent to issue a search-warrant.

Magistrate may direct search in his presence.

CHAPTER XVII.

BAIL.

155. When any person appears or is brought before a Magistrate accused of any bailable offence, he shall be admitted to bail.

When bail shall be taken.

When bail not to be taken.

156. When any person accused of any non-bailable offence appears or is brought before a Magistrate such person shall not be admitted to bail, if there appear reasonable grounds for believing that he has been guilty of the offence of which he is accused.

When bail may be taken.

If the evidence given in support of the accusation is, in the opinion of the Magistrate, not such as to raise a strong presumption of the guilt of the accused person,

or if such evidence is adduced on behalf of the accused person as, in the opinion of the Magistrate, weakens the presumption of his guilt, but there appears to the Magistrate, in either of such cases, to be sufficient ground for further inquiry into his guilt,

the accused person shall be admitted to bail pending such inquiry.

Recognizance of accused, and sureties.

157. When a Magistrate admits to bail any person accused or suspected of any offence, a recognizance, in such sum of money as the Magistrate thinks sufficient, shall be entered into by the person so accused, and one or more sureties, conditioned that such person shall attend at the time and place mentioned in the recognizance, and shall continue to attend until otherwise directed by the Court, and, if required, shall appear when called upon at the High Court, to answer the charge.

Power to order sufficient bail when first taken is insufficient.

158. If, through mistake or fraud, insufficient bail has been taken, or if the sureties become afterwards insufficient, the accused person may be ordered by the Magistrate to give sufficient bail or to find sufficient sureties, and, in default, may be committed to prison.

Admission to bail formerly after failure in first instance.

159. If the accused person cannot find sureties when called upon, he shall be admitted to bail upon finding the same at any time afterwards before conviction.

Discharge on bail.

160. After the recognizances have been duly entered into, the Magistrate, in case the accused person has appeared voluntarily or is in the custody of some officer, shall thereupon release him; and in case he is in some prison or other place of confinement, shall issue a warrant of release to the jailor or other person having him in his custody, and such jailor or other person shall thereupon release him.

Discharge of sureties.

161. Any one or more of the sureties for an accused person may, at any time, apply to the Magistrate to be discharged from their engagements.

On such an application being made, the Magistrate shall issue his warrant of arrest, directing that such person be brought before him.

On the appearance of such person pursuant to the warrant, or on his voluntary surrender, the Magistrate shall direct the recognizance of the sureties to be discharged; and shall call upon such person to find other sureties, and, in default, may order him to be committed to prison.

Procedure to compel payment of penalty by accused.

162. Whenever, by reason of default of appearance of the person executing the personal recognizance, the Magistrate is of opinion that proceedings should be had to compel payment of the penalty mentioned in the recognizance, he shall proceed to enforce the penalty, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within the jurisdiction of the Magistrate.

Such warrant may be executed within the jurisdiction of the Magistrate, and it shall authorize the distress and sale of any moveable property belonging to the accused person, without the jurisdiction of the said Magistrate, when endorsed by the Magistrate within whose jurisdiction such moveable property is situated.

Procedure to compel payment of penalty by sureties.

163. Whenever, by reason of default of appearance by the person bailed, the Magistrate is of opinion that proceedings should be had to compel payment of the penalty mentioned in the recognizance of the surety or sureties, he shall give notice to the surety or sureties to say the same, or to show cause why it should not be paid.

If such penalty be not paid and if no sufficient cause for its non-payment be shown, the Magistrate shall proceed to recover the penalty from such surety or sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to him or them which may be found within the jurisdiction of the Magistrate. Such warrant may be executed within the jurisdiction of the Magistrate; and it shall authorize the distress and sale of any moveable property belonging to the surety or sureties, without the jurisdiction of the said Magistrate, when endorsed by the Magistrate within whose jurisdiction such moveable property is situated.

If such penalty be not paid and cannot be recovered by such attachment and sale, such surety or sureties shall be liable to confinement, by order of the Magistrate, in the civil jail, during a period not exceeding six months.

In what cases provisions given by sections 162 and 163 may be exercised.

164. The powers given by sections 162 and 163 may be exercised by every Magistrate in every case in which a personal recognizance or bail has been given for the appearance of a party or witness, if default is made by the non-appearance of such party or witness before such Court, according to the conditions of such recognizance or bail:

Provided that the Magistrate may, at his discretion, remit any portion of the penalty mentioned in the recognizance of the party or witness, or of the surety or sureties, and enforce payment in part only.

Deposit instead of bail.

165. When any person is required by any Magistrate to give bail, such Magistrate may permit him to deposit a sum of money or Government promissory notes to such amount as it may fix in lieu of such bail.

CHAPTER XVIII.

LUNATICS.

166. When any person charged with an offence before a Magistrate appears to such Magistrate to be of unsound mind and incapable of making a defence, the Magistrate shall institute an inquiry to ascertain the fact of such unsoundness of mind, and shall cause the accused person to be examined by the civil surgeon of the district, or some other medical officer, and thereupon shall examine such civil surgeon or other medical officer as a witness, and shall reduce the examination into writing.

Procedure in case of accused being lunatic.

If such Magistrate is of opinion that the accused person is of unsound mind, he shall stay further proceedings in the case.

167. When, from the evidence given before a Magistrate, there appears to be sufficient ground for believing that the accused person committed an act which, if he had been of sound mind, would have been an offence triable exclusively by the High Court, and that he was at the time when the act was committed, by reason of unsoundness of mind, incapable of knowing the nature of the act charged, or that he was doing what was wrong or contrary to law, such accused person shall, if he appears to be sane at the time of inquiry, be sent for trial by the Magistrate before the High Court.

When accused appears to have been insane.

If an accused person appears to be insane at the time of inquiry, the Magistrate shall act in the manner provided in the last preceding section.

168. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Magistrate, if the offence of which such person is accused be bailable, may release him on sufficient security being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required.

Release of lunatic on security given.

If the offence be not bailable, or if the required bail be not given, the accused person shall be kept in safe custody in such place as the Local Government to which the case shall be reported shall direct.

Custody when bail not given.

169. Whenever an inquiry or trial is postponed under section 166, the Magistrate may at any time resume the inquiry or trial, and require the accused person, if detained in custody, to be brought before such Magistrate; or, if the accused person has been released on security, may require his appearance.

Resumption of inquiry or trial.

The surety of such person shall be bound, at any time, to produce him to any officer whom the Magistrate appoints to inspect him; and the certificate of such officer shall have the same effect as the certificate of an Inspector-General of Prisons or the visitors of lunatic asylums, granted under section 174.

170. If, when the accused person appears or is again brought before the Magistrate, it appears to such Magistrate that the accused person is in a fit state of mind to make his defence, the inquiry shall proceed, or the accused person shall be put on his trial, as the case may require.

Procedure on accused appearing before Magistrate.

If it appears that the accused person is still of unsound mind, and incapable of making his defence, the Magistrate shall again act according to the provisions of section 166.

171. Whenever any person is acquitted upon the ground that, at the time at which he is charged with having committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act charged, or that he was doing what was wrong or contrary to law, the finding shall state specially whether such person committed the act or not.

Finding in case of acquittal on ground of being lunatic.

172. Whenever such finding states that the accused person committed the act charged, the Magistrate before whom the trial was held shall, if the act charged would, but for the insanity found, have amounted to an offence, order such person to be kept in safe custody, in such place and manner as the Magistrate thinks fit, and shall report the case for the order of the Local Government.

Person found to have committed act charged to be kept in safe custody and report made to Government.

The Local Government may order such person to be kept in safe custody in a lunatic asylum or other suitable place of safe custody.

173. When any person is confined under the provisions of section 168 or 172, the Inspector General of Prisons, if such person is confined in a jail, or the visitors of the lunatic asylums, or any two of them if he is confined in a lunatic asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector General or by two of such visitors as aforesaid; and such Inspector General or visitors shall make a special report to the Local Government as to the state of mind of such person.

Visiting of lunatic prisoners.

174. If such person is confined under section 168, and such Inspector General or visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Magistrate at such time as such Magistrate appoints, and such Magistrate shall deal with such person under the provisions of section 170; and the certificate of such Inspector General or visitors as aforesaid shall be receivable as evidence.

Procedure where lunatic prisoner reported capable of making defence.

175. If such person is confined under the provisions of section 172, and such Inspector-General or visitors as aforesaid certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public lunatic asylum, if he has not been already sent to such an asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the lunatic asylum shall be one.

Procedure where lunatic confined under section 172 is declared capable of being discharged.

The said commission shall make formal inquiry into the state of mind of such person, taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as to it may seem fit.

Delivery of lunatic to care of relative.

176. Whenever any relative or friend of any person detained under the provisions of section 174 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person detained shall be properly taken care of and shall be prevented from doing injury to himself or to any other person, may make an order that such person may be delivered to such relative or friend.

Whenever such person is so delivered over, it shall be upon condition that he shall be subject to the inspection of such officer as the Local Government appoints, and at such times as such Government directs.

The provisions of sections 173 and 175 shall apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt with as a certificate of the Inspector General of Prisons, or the visitors of lunatic asylums, under the said sections.

CHAPTER XIX.

CONTEMPTS OF COURT.

Procedure in certain cases of contempt.

177. When any such offence as is described in sections 175, 178, 179, 180 or 228 of the Indian Penal Code is committed in the view or presence of any Magistrate, the Magistrate may cause the offender to be detained in custody; and, at any time before the rising of the Magistrate on the same day, may take cognizance of the offence, and adjudge the offender to punishment by fine not exceeding two hundred rupees, and, in default of payment, by imprisonment in the civil jail for a period not exceeding one month, unless such fine be sooner paid.

In every such case, the Magistrate shall record the facts constituting the offence, with any statement the offender may make, as well as the finding and sentence.

If the offence is under section 228 of the Indian Penal Code, the record must show the nature and stage of the judicial proceeding in which the Magistrate insulted or interrupted was sitting, and the nature of the interruption or insult offered.

Procedure where Court sees reason that accused should be imprisoned, or fined more than 200 rupees.

178. If the Magistrate in any case considers that a person accused of any such offence should be imprisoned otherwise than in default of payment of fine, or that a fine exceeding two hundred rupees should be imposed upon him, such Magistrate after recording the facts constituting the offence, and the statement of the accused person as before provided, shall forward the case to another Magistrate, and shall cause bail to be taken for the appearance of such accused person before such Magistrate, or, if sufficient bail be not tendered, shall cause such person to be forwarded under custody to such Magistrate.

Such other Magistrate shall proceed to try the accused person in the manner provided by this Act for trials before a Magistrate; and may adjudge the offender to punishment, as provided in the section of the Indian Penal Code under which he is charged.

Any person convicted under this section may appeal to the High Court.

Discharge of offender on submission or apology.

179. When any Magistrate has adjudged an offender to punishment, or forwarded him to another Magistrate for trial, for refusing or omitting to do anything which he was lawfully required to do, or for any intentional insult or interruption, the former Magistrate may discharge the offender, or remit the punishment, on his submission to the order or requisition of such Magistrate, or on apology being made to his satisfaction.

CHAPTER XX.

OF THE CHARGE.

Form of Charges.

Charge to state offence.

180. The charge shall state the offence with which the accused person is charged.

Specific name of offence sufficient description.

If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

How stated where offence has no specific name.

If the law which creates the offence does not give it any specific name, so much of the definition of the offence must be stated as to give the prisoner notice of the matter with which he is charged.

The Act and section or sections of the Act against which the offence is said to have been committed must be referred to in the charge.

What implied in charges.

The fact that the charge is made shall be equivalent to a statement that every legal condition, necessary by law to constitute the offence charged, was fulfilled in the particular case.

Language of charge.

The charge shall be written in English. If English is not understood by the prisoner, the charge must be read to him in a language which he understands.

Previous conviction to be set out in charge.

If the accused person has been previously convicted of any offence, and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If it is omitted, it may be added at any time before sentence is passed, but not afterwards.

Illustrations.

(a.) A is charged with the murder of B.

This is equivalent to a statement that A's act fell within the definition of murder given in sections 299 and 300 of the Indian Penal Code; that it did not fall within any of the general exceptions of the Penal Code; and that it did not fall within any of the five exceptions to section 300, or that, if it did fall within exception 1, one or other of the three provisos to that exception applied to it.

(b.)

(b) A is charged, under section 326 of the Indian Penal Code, with voluntarily causing grievous hurt to B, by means of an instrument for shooting: this is equivalent to a statement that the case was not provided for by section 335 of the Indian Penal Code, and that the general exceptions did not apply to it.

(c.) A is accused of murder, cheating, theft, extortion, adultery or criminal intimidation, or using a false property-mark. The charge may state that A committed murder, or cheating, or theft, or extortion, or adultery, or criminal intimidation, or that he used a false property-mark, without reference to the definitions of those crimes contained in the Indian Penal Code; but the sections under which the offence is punishable must, in each instance, be referred to in the charge.

(d.) A is charged, under section 183 of the Indian Penal Code, with intentionally obstructing a sale of property offered for sale by the lawful authority of a public servant. The charge should be in these words.

181. The charge shall contain such particulars as to the time and place of the alleged offence and the person against whom it was committed, as are reasonably sufficient to give notice to the accused person of the matter with which he is charged.

Particulars as to time, place and person.

182. When the nature of the case is such that the particulars mentioned in sections 180 and 181 do not give sufficient notice to the accused person of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

When manner of committing offence must be stated.

Illustrations.

(a.) A is accused of the theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.

(b.) A is accused of cheating B at a given time and place. The charge must set out the manner in which A cheated B.

(c.) A is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by A which is alleged to be false.

(d.) A is accused of obstructing B, a public servant, in discharge of his public functions at a given time and place. The charge must set out the manner in which A obstructed B in the discharge of his functions.

(e.) A is accused of the murder of B at a given time and place. The charge need not state the manner in which A murdered B.

(f.) A is accused of disobeying a direction of the law with intent to save B from punishment. The charge must set out the disobedience charged and the law infringed.

183. The charge may be in the form given in the third schedule to this Act or to the like effect.

Forms in schedule.

184. No error, either in the way in which the offence is stated, or in the particulars required to be stated in section 182, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Effect of errors.

Illustrations.

(a.) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit," the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(b.) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(c.) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(d.) A is charged with the murder of Khoshi Baksh on the 25th January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 26th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(e.) A was charged with murdering Haidar Baksh on the 2nd January and Khoshi Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khoshi Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

185. Any accused person may apply to the Magistrate for an amendment of the charge made against him; and in considering whether any error in a charge did in fact mislead the accused person, the Court shall take into account the fact that he did or did not make such an application.

Prisoner may apply for amendment.

186. The Court may, upon the application of the accused person, or of the prosecutor, or upon its own motion, amend or alter any charge at any stage of the proceedings before judgment is pronounced. Such amendment shall be read and explained to the accused person.

Court may amend a charge.

187. If the amendment or alteration is such that proceeding immediately with the trial is not likely, in the opinion of the Court, to prejudice the accused person in his defence, it shall be at the discretion of the Court, after making such amendment or alteration, to proceed with the trial as if the amended charge had been the original charge.

When trial may proceed immediately after amendment.

188. If the amendment or alteration is such that proceeding immediately with the trial is likely, in the opinion of the Court, to prejudice the accused person in his defence, the Court may either direct a new trial, or suspend the trial for such period as may be necessary to enable the accused person to make his defence to the amended or altered charge; and, after hearing his defence, the Court may further adjourn the trial, to admit of the appearance of any witness whose evidence the Court may consider to be material to

When new trial may be directed or trial suspended.

the case, or whom the accused person may wish to be summoned in his defence.

Prosecutor and accused persons may recall witnesses.

189. In all cases of amendment or alteration of a charge, the prosecutor and accused person shall be allowed to recall and examine with reference to such amendment or alteration any witness who may have been examined.

Previous sanction to be obtained if offence in new charge require it.

190. If the offence stated in the new charge be one for which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained; unless sanction has been already obtained for a prosecution on the same facts as those on which the new charge was based.

Joinder of Charges.

Separate charges for distinct offences.

191. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter excepted.

Illustration.

A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

More offences than one of same kind may be charged within a year of each other.

192. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged and tried at the same time for any number of them not exceeding three.

EXPLANATION.—Offences are said to be of the same kind under this section if they fall within the provisions of section 194.

I.—Trial of more than one offence.

193. I.—If in one series of acts, so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

II.—One offence falling within two definitions.

II.—If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed, but he must not receive a more severe punishment than could be awarded for any of such offences.

III.—Acts severally constituting more than one offence, but collectively coming within one definition.

III.—If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with every offence or any of the different offences, which he may have committed, but he must not receive for such offences, collectively, a punishment more severe than that which might have been awarded for any one of such offences.

Illustrations.

To paragraph 1.

(*a*.) A rescues B, a person in lawful custody, and in so doing causes grievous hurt to C, a constable in whose custody B was. A may be separately charged with, convicted of, and punished for, offences under sections 225 and 333 of the Indian Penal Code.

(*b*.) A has in his possession several counterfeit seals with the intention of committing several forgeries. A may be separately charged with, convicted of, and punished for, the possession of each seal for a distinct forgery under section 473 of the Indian Penal Code.

(*c*.) A, with intent to cause injury to B, institutes proceedings against him, knowing there is no just or lawful ground for such proceedings. A also falsely charges B with having committed an offence. A may be separately charged with, convicted of, and punished for, two offences under section 211 of the Indian Penal Code.

(*d*.) A, with intent to injure B, brings a false charge against him of having committed an offence. On the trial, A gives false evidence against B. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 or 195 of the Indian Penal Code.

(*e*.) A, knowing that B, a female minor, has been kidnapped, wrongfully confines her and detains her as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370 of the Indian Penal Code.

(*f*.) A, with six others, commits the offences of rioting, grievous hurt, and of assaulting a public servant engaged in suppressing the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147 and 325 and 152 of the Indian Penal Code.

(*g*.) A criminally intimidates B, C and D at the same time. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506 of the Indian Penal Code.

(*h*.) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, three offences under section 302 of the Indian Penal Code.

To paragraph II.

(*i*.) A commits mischief by cutting down a tree in a Government forest. The tree overhangs the bank of a river and falls into the stream. A commits theft by having severed the tree and by floating it down the river to his village, where he sells it. A may be separately charged with, and convicted of, offences under sections 426 and 379 of the Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 379 only.

(*j*.) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 323 only.

(*k*.) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then takes away the carcase, in a manner amounting to theft. A may be separately charged with, and convicted of, offences under sections 429 and 379 of the Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 429 only.

(*l*.) Several stolen sacks of corn are made over to A and B, who know they are stolen property. A and B thereupon assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414 of the Indian Penal Code; but the Court which tries them may not inflict a severer sentence than if it had convicted them under one of those sections only.

(*m*.) A uses a forged document in evidence, in order to convict B, a public servant, of an offence under section 167. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the Indian Penal Code;

but the Court which tries him may not inflict a severer sentence than if it had convicted him under one of those sections only.

To paragraph III.

(a.) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497 of the Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 497 only.

(a.) A robs B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 392 or 394 only.

(p.) A entices B, the wife of C, away, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497 of the Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 497 only.

194. If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused person may be charged with having committed all or any of such offences; and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences.

Where it is doubtful what offence has been committed.

Illustration.

A is accused of an act which may amount to either theft, receiving stolen property, criminal breach of trust, or cheating. He may be charged separately with theft, criminal breach of trust, and cheating, or he may be charged with having committed either theft, or criminal breach of trust, or cheating.

195. If, in the case mentioned in the last preceding section, one charge only is brought against an accused person, and it appears in evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

When a person is charged with one offence, he can be convicted of another.

Illustration.

A is charged with theft. It appears that he committed criminal breach of trust, or receiving stolen goods. He may be convicted of criminal breach of trust, or receiving stolen goods, though he was not charged with it.

196. When a person is charged with an offence, and part of the charge is not proved, but the part which is proved amounts to a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

When offence proved included in offence charged.

Illustrations.

(a.) A is charged, under section 407 of the Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(b.) A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

197. When more persons than one are accused of the same offence, or of different offences committed in the same transaction, or when one person is accused of committing any offence, and another of abetment of, or attempt to commit, such offence, they may be charged and tried together, or separately, as the Court thinks proper, and the provisions hereinbefore contained shall apply to all such charges.

What persons may be charged jointly.

Illustrations.

(a.) A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(b.) A and B are accused of a robbery, in the course of which A commits a murder with which B has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(c.) A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

198. When more charges than one are preferred against the same person, and when a conviction has been had on one or more of them, the Government pleader or other officer conducting the prosecution may, with the consent of the Court, withdraw, or the Court of its own accord may suspend, the inquiry into the remaining charge or charges.

Withdrawal or suspending charges, on conviction on one of several charges.

Previous Acquittals or Convictions.

199. A person who has once been tried for an offence and convicted or acquitted of such offence, shall, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 194, or for which he might have been convicted under section 195.

Person once convicted or acquitted not to be tried for same offence.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 198, paragraph one.

A person acquitted or convicted of any offence in respect of any act causing consequences which, together with such act, constituted a different offence from that for which he was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person acquitted or convicted of any offence in respect of any facts may, notwithstanding such acquittal or conviction, be subsequently charged with and tried for any other offence which he may have committed in respect of the same facts, if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(*a*) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged, upon the same facts, either with theft as a servant, with theft simply, or with criminal breach of trust.

(*b*) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed; he may afterwards be charged with, and tried for, robbery.

(*c*) A is tried for an assault and convicted. The person afterwards dies. A may be tried again for culpable homicide.

(*d*) A is tried under section 270 of the Indian Penal Code, for malignantly doing an act likely to spread the infection of a disease dangerous to life and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325 of the same Code, with voluntarily causing grievous hurt to that person.

(*e*) A is charged before the High Court and convicted of the culpable homicide of B. A may not afterwards be tried for the murder of B on the same facts.

(*f*) A is charged by a Magistrate with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B, on the same facts, unless the case comes within paragraph three of this section.

(*g*) A is charged by a Magistrate with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same facts.

(*h*) A, B and C are charged by a Magistrate with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity, on the same facts.

CHAPTER XXI.

PROSECUTIONS IN CERTAIN CASES.

200. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294 A of the same Code, shall not be entertained by any Magistrate, unless the prosecution be instituted by order of, or under authority from, the Governor General of India in Council or the Local Government, or some officer empowered by the Governor General in Council in order or authorize such prosecution, or unless instituted by the Advocate General.

Prosecutions for offences against the State.

201. A complaint of an offence committed of which any Judge or any public servant not removable from his office without the sanction of the Government is accused as such Judge or public servant, shall not be entertained against him except with the sanction or under the direction of the Government, or of some officer empowered by the Government, or of some Court or other authority to which such Judge or public servant is subordinate, and whose power so to sanction or direct such prosecution the Government does not think fit to limit or reserve.

Prosecution of Judges and public servants.

No such Judge or public servant shall be prosecuted for any act purporting to be done by him in the discharge of his duty, unless with the sanction of the Government.

The sanction must be given before the commencement of the proceedings.

Sanction when to be given.

The Local Government may limit the person by whom, and the manner in which, the prosecution is to be conducted, and may specify the Court before which the trial is to be held.

Power of Local Government as to prosecution.

In this section the expression "Government" means either the Local Government or the Government in Council and the expressions 'Judge' and 'public servant' have the meanings assigned to them respectively by the Indian Penal Code.

202. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 195, 178, 179 or 180 of that Code, shall not be entertained by any Magistrate, except with the sanction or on the complaint of the public servant concerned, or of his official superior.

Prosecution for contempts of the lawful authority of public servants.

EXPLANATIONS.—In cases under this chapter, the report or application of the public servant shall be deemed sufficient complaint.

203. A complaint of an offence against public justice, described in section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209, 210, 211 or 228 of the Indian Penal Code, when such offence is committed before or against a civil or criminal Court, shall not be entertained by any Magistrate, except with the sanction of the Court before or against which the offence was committed, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences against public justice.

204. A complaint of an offence relating to documents, described in section 463, 471, 475 or 476 of the Indian Penal Code, when the document has been given in evidence in any proceedings in any civil or criminal Court, shall not be entertained against a party to such proceedings, except with the sanction of the Court in which the document was given in evidence, or of some other Court to which such Court is subordinate.

Sanction to prosecution for certain offences relating to documents given in evidence.

205. The sanction referred to in sections 201, 202 and 203, may be expressed in general terms, and need not name the accused person and may be given at any time.

Nature of sanction necessary.

Such sanction may be given at any time, and a sanction under any one of the three last preceding sections shall be deemed sufficient authority for the Magistrate to amend the charge (if any) to one of an offence coming within either of the two remaining sections, if the facts disclose such offence.

EXPLANATION.—In cases under this chapter, the report or application of the public servant or Court shall be deemed sufficient complaint.

206. When any Court, civil or criminal, is of opinion that there is sufficient ground for inquiring into any complaint mentioned in sections 201, 202 and 203, such Court, after making such preliminary inquiry as may be necessary, may either commit the case itself, or may send the case for inquiry to any Magistrate having power to try or commit for trial the accused person for the offence charged.

Procedure in cases mentioned in sections 201, 202 and 203.

Such Magistrate shall thereupon proceed according to law, and the Court may send the accused person in custody, or take sufficient bail for his

appearance, before such Magistrate; and may bind over any person to appear and give evidence on such trial or inquiry.

Prosecution for adultery.

207. A complaint of an offence under section 497 of the Indian Penal Code shall not be instituted, except by the husband of the woman, or by any person under whose care she was living at the time when the adultery was committed.

Prosecution for enticing away married woman.

208. A complaint of an offence under section 498 of the Indian Penal Code shall not be instituted, except by the husband of the woman, or by the person having care of such woman on behalf of her husband.

CHAPTER XXII.

OF SECURITY FOR KEEPING THE PEACE.

Personal recognizance to keep the peace in case of conviction.

209. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence before a Magistrate,

and the Magistrate by whom such person is convicted, or the Magistrate by whom the final sentence or order in the case is passed, is of opinion that it is just and necessary to require such person to give a personal recognizance for keeping the peace,

such Magistrate may, in addition to any other order passed in the case, direct that the person so convicted be required to execute a formal engagement, in a sum proportionate to his condition in life and the circumstances of the case, for keeping the peace during such period as it may appear proper to fix in each instance, not exceeding one year, with a provision that, if the same be not given, the person required to enter into the engagement shall be kept in simple imprisonment for any time not exceeding one year, unless within such period such person execute such formal engagement as aforesaid.

If the accused person be sentenced to imprisonment, the period for which he may be required to execute a recognizance, and the imprisonment in default of executing such recognizance, shall commence when he is released on the expiration of his sentence.

In any case where the order is not made at the time of signing, or by the Magistrate who signs, the judgment, the convict must be produced before the Magistrate who adds the order to enter into a personal recognizance to the original sentence.

Security to keep the peace.

210. Whenever it appears necessary to require security for keeping the peace, in addition to the personal recognizance of the party so convicted, the Magistrate may require security in addition thereto, and may fix the amount of the security-bond to be executed by the surety or sureties; with a provision that, if the same be not given, the party required to find the security shall be kept in simple imprisonment for any time not exceeding one year.

Summons to person to show cause why he should not give bond to keep peace.

211. Whenever a Magistrate receives information that any person is likely to commit a breach of the peace, or to do any act that may probably occasion a breach of the peace, he may summon such person to attend at a time and place mentioned in the summons, to show cause why he should not be required to enter into a bond to keep the peace, with or without sureties, as such Magistrate thinks fit.

EXPLANATION I.—A summons calling on a person to show cause why he should not be bound over to keep the peace, may be issued on any report or other information which appears credible and which the Magistrate believes; but the Magistrate cannot bind over a person until he has adjudicated on evidence before him.

EXPLANATION II.—A Magistrate may recall a summons issued under this section if he thinks proper.

Contents of summons.

212. Such summons shall set forth the substance of the report or information on which it is issued, the amount of the bond, and the term for which it is to be in force, and, if security is called for, the number of sureties required, and the amount in which they are to be bound respectively, and the time and place at which the person summoned is required to attend.

EXPLANATION.—When the parties are present in Court no summons is necessary, but the person to whom a summons would have been issued must have an opportunity to show cause why he should not be bound.

Form and penalty of bond.

213. The bond shall be in the form (E) given in the third schedule hereto annexed or to the like effect; and its penalty shall be fixed with a due regard to the circumstances of the case and the means of the party.

The amount in which the sureties shall be bound shall not exceed the penalty named in the bond.

When warrant of arrest may issue.

214. If the person summoned does not attend at the time and place named in the summons on the day appointed, such Magistrate, if satisfied that the summons has been duly served, may issue a warrant for his arrest:

Provided that, whenever it appears to such Magistrate, upon the report of a Police-officer or upon other credible information (the substance of which report or information shall be recorded), that there is just reason to fear the commission of a breach of the peace, which may probably be prevented by the immediate arrest of any person, the Magistrate may at any time issue a warrant for his arrest.

Magistrate may dispense with personal attendance of person informed against.

215. The Magistrate may, if he sees sufficient cause, dispense with the personal attendance of the person informed against under section 211 and may permit him to appear and enter into the required security, or show cause against such requisition, by an agent duly authorized to act in his behalf.

Discharge of person informed against.

216. If on the appearance of such person informed against, or of his agent if he is permitted to appear by agent, the Magis-

trate is not satisfied that there is occasion to bind such person to keep the peace, the Magistrate shall direct his discharge.

Order to give bond and consequence of non-compliance.

217. If the Magistrate is satisfied that it is necessary for the preservation of the peace to take a bond from such person with or without security, he shall make an order accordingly; and if such person fails to comply with the order, the Magistrate may order him to be kept in simple imprisonment until he furnish the same.

Time for which person may be bound to keep peace.

218. The period for which the Magistrate may bind a person to keep the peace, with or without security, shall not exceed one year.

Limit of imprisonment under section 217.

When a person is imprisoned under section 217, he shall not be detained by authority of the Magistrate beyond the term of one year, and shall be released whenever, within that term, he complies with the order.

Extension of time for which person is bound.

219. Whenever it appears to a Magistrate that it is necessary for the preservation of the peace to bind a person beyond the term of one year, he may, before the expiration of the first year, record his opinion to that effect and the grounds thereof, and may refer the case for the orders of the High Court.

Such Court, after examining the proceedings of the Magistrate, and making such further inquiry as it thinks necessary, may, if it see cause, authorize him to extend the term for a further period not exceeding one year.

If such person fails to give a bond, with security if required, for his keeping the peace for such further period as the Magistrate under the orders of the High Court, directs, he may be kept in simple imprisonment for such further period, or until, within that period, he gives such bond.

EXPLANATION.—When the subject of dispute, or ground for apprehension, is the same as that on which the first order was passed, the Magistrate must proceed under this section if the first bond is still in force, and not under section 211.

Discharge of recognizance.

220. A Magistrate may, if he see sufficient cause, discharge any recognizance and surety for keeping the peace taken by him, or by his predecessor, under the preceding sections, and may order the release of the person confined for default in entering into such recognizance or giving such security.

Discharge of sureties.

221. A surety for the peaceable conduct of another person may at any time apply to a Magistrate to be relieved from his engagement as surety.

On such application being made, the Magistrate shall issue his summons or warrant in order that the person for whom such surety is bound may appear or be brought before him.

On the appearance of the person to such warrant, or on his voluntary surrender, the Magistrate shall direct the engagement of the surety to be cancelled, and shall call upon such person to give fresh security, and, in default thereof, shall order him to be kept in simple imprisonment.

Recovery of penalty from principal.

222. Whenever it is proved before a Magistrate that any recognizance or other bond taken under this chapter has been forfeited, he shall record the grounds of such proof, and shall call upon the person bound by such recognizance or bond to pay the penalty thereof, or to show cause why it should not be paid.

If sufficient cause be not shown and the penalty be not paid, the Magistrate shall proceed to recover the same by issuing a warrant for the attachment and sale of any of the moveable property belonging to the person bound by such recognizance or bond.

Such warrant may be executed within the jurisdiction of the Magistrate in which it is issued; and it shall authorize the distress and sale of any moveable property belonging to the person bound, without the jurisdiction of the said Magistrate, when endorsed by the Magistrate of the District in which such property is situated.

If such penalty be not paid and cannot be recovered by such attachment and sale, such person shall be liable to imprisonment by order of the Magistrate in the civil jail for a period not exceeding six months.

The penalty shall not be enforced until the person bound has had an opportunity of showing cause, and until the breach of the conditions has been proved.

The commission, or attempt to commit or abetment, of any offence whatever, and wherever it may be committed, is a breach of the bond.

Proceedings under this chapter may be taken, either in the district in which the breach of the peace is apprehended, or where an offence has been committed in breach of the bond, or in any district where the person it is desired to bind may be.

Recovery of penalty from surety.

223. Whenever it is proved before a Magistrate that any bond with a surety has been forfeited, the Magistrate may at his discretion give notice to the surety to pay the penalty to which he has thereby become liable, or to show cause why it should not be paid.

If no sufficient cause is shown, and such penalty is not paid, the Magistrate may proceed to recover payment of the penalty from such surety in the same manner as from the principal party.

And in case such penalty cannot be so recovered, the surety shall be liable, by order of such Magistrate, to imprisonment in the civil jail for a period not exceeding six months.

CHAPTER XXIII.

OF SECURITY FOR GOOD BEHAVIOUR.

When Magistrate may require security for good behaviour for six months.

224. Whenever it appears to a Magistrate that any person is lurking within his jurisdiction, or that there is within his jurisdiction a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, the Magistrate may require such security for such person's good behaviour for a period not exceeding six months as to him may appear good and sufficient.

If in any case under this or the two following sections, the person to be bound is under sentence for an offence, he must be brought up on or after the expiration of his sentence for the purpose of being bound.

Binding of sentenced person.

225. Whenever it appears to a Magistrate from the evidence as to general character adduced before him, that any person is by repute a robber, house-breaker or thief,

When Magistrate may require security for good behaviour for one year.

or a receiver of stolen property, knowing the same to have been stolen,

or of notoriously bad livelihood, or is a dangerous character,

such Magistrate may require similar security for the good behaviour of such person for a period not exceeding one year.

226. Whenever it appears to a Magistrate from the evidence as to general character adduced before him, that any person is by habit a robber, house-breaker or thief,

Procedure where security required for more than one year.

or a receiver of stolen property, knowing the same to have been stolen,

or of a character so desperate and dangerous as to render his release without security, at the expiration of the limited period of one year, hazardous to the community,

he shall record his opinion to that effect, with an order specifying the amount of security which should, in his judgment, be required from such person, as well as the number, character and class of sureties, and the period, not exceeding three years, for which the sureties should be responsible for such person's good behaviour; and if such person does not comply with the order, the Magistrate shall issue a warrant directing his detention pending the orders of the High Court.

227. If a person required to furnish security under the provisions of the last preceding section does not furnish the same, or offers sureties whom the Magistrate sees fit to reject, the proceedings shall be laid, as soon as conveniently may be, before the High Court.

Proceedings to be laid before High Court.

Such Court, after examining such proceedings and requiring any further information or evidence which it thinks necessary, may pass orders on the case, either confirming, modifying or annulling the orders of such Magistrate, as it thinks proper.

228. If the High Court does not think it safe to direct the immediate discharge of such person, it shall fix a period for his detention, not exceeding three years, in the event of his not giving the security required from him.

High Court may require security for period not exceeding three years.

229. Whenever security for good behaviour is required by the High Court or by a Magistrate the amount, the security, the number and description of sureties, and the period of time for which the sureties are to be responsible for the good conduct of the person required to furnish security, shall be stated in the order.

Contents of order for security.

The security-bond shall be in the form (G) given in the third schedule hereto annexed or to the like effect.

Form of bond.

230. In the event of any person required to give security under the provisions of this Act failing to furnish the security so required, he shall be committed to prison until he furnish the same:

Imprisonment in default of security.

Provided that no such person shall be kept in prison for a longer period than that for which the security has been required from him.

Term of imprisonment.

Imprisonment under this section may be rigorous or simple, as the Court or Magistrate in each case directs.

231. The Magistrate may at any time exercise his discretion in releasing, without reference to any other authority, any prisoner confined under imposition of security for good behaviour, whether by his own order, or that of his predecessor in office, provided he is of opinion that such person can be released without hazard to the community.

Release of prisoners under imposition of security.

232. Whenever a Magistrate is of opinion that any person confined under imposition of security for good behaviour, by order of the High Court, can be safely released without such security, such Magistrate shall make an immediate report of the case for the orders of the High Court.

Report in case of prisoners under imposition of security by order of High Court.

233. A surety for the good behaviour of a person may at any time apply to a Magistrate to be relieved from his engagement as such surety.

Discharge of surety.

On such application being made, such Magistrate shall issue his summons or warrant in order that such person may appear or be brought before him.

On the appearance of such person pursuant to such summons or warrant, or on his voluntary surrender, such Magistrate shall direct the engagement of the surety to be cancelled, and shall call upon the person so appearing or surrendering to give fresh security, and, in default thereof, shall commit him to custody.

234. Whenever a Magistrate is of opinion that, by reason of an offence proved to have been committed by a person for whose good behaviour security has been given, subsequent to his having given such security, proceedings should be had upon the bond executed by the surety, such Magistrate shall give notice to the surety to pay the penalty, or to show cause why it should not be paid.

Recovery of penalty from sureties.

If such penalty be not paid and no sufficient cause for non-payment be shown, the Magistrate shall proceed to recover the penalty from such surety by issuing a warrant for the attachment and sale of any moveable property belonging to him. Such warrant may be executed within the jurisdiction of the Magistrate by whom it is issued; and it shall authorize the distress and sale of any moveable property belonging to such surety, without the jurisdiction of the said Magistrate, when endorsed by the Magistrate of the District in which such property is situated.

If such penalty be not paid and cannot be recovered by such attachment and sale, the surety shall be liable to imprisonment by order of a Magistrate of Police in the civil jail for a period not exceeding six months.

Issue of summons and warrant of arrest.

235. The provisions of sections 212 and 214, relating to the issue of summons and warrant of arrest for securing the personal attendance of the party informed against, when such party is not in custody, shall apply to proceedings taken under this chapter against persons required to give security for their good behaviour.

Place where proceedings may be held.

Proceedings may be taken under this chapter, against persons amenable to its provisions, in any district where they may be.

Previous conviction may be proved.

Any previous conviction against the person to be bound may be proved on proceedings held under this chapter.

Sureties may be rejected for sufficient.

236. A Magistrate may refuse to accept any surety offered under this chapter, on the ground that such surety is an unfit person.

Provisions of chapter not to apply to European British subjects.

237. The provisions of this chapter do not apply to European British subjects.

CHAPTER XXIV.

POSSESSION.

Power to restore possession of immoveable property.

238. Whenever any person is convicted by a Magistrate of an offence attended with criminal force, and it appears to such Magistrate that, by such criminal force, any person has been dispossessed of any immoveable property, the Magistrate may order such person to be restored to possession.

No such order shall prejudice any right over such immoveable property which any person may be able to show in a civil suit.

CHAPTER XXV.

OF THE MAINTENANCE OF WIVES AND FAMILIES.

Order for maintenance of wives and children.

239. If any person, having sufficient means, neglects or refuses to maintain his wife, or legitimate or illegitimate child unable to maintain himself, a Magistrate may, upon due proof thereof by evidence, order such person to make a monthly allowance for the maintenance of his wife or such child, at such monthly rate, not exceeding fifty rupees in the whole, as to such Magistrate seems reasonable.

Such allowance shall be payable from the date of the order.

Enforcement of order.

If such person wilfully neglects to comply with this order, such Magistrate may, for every breach of the order, by warrant, direct the amount due to be levied in the manner provided for levying fines; and may order such person to be imprisoned, with or without hard labour, for any term not exceeding one month, for each month's allowance remaining unpaid:

Proviso.

Provided that, if such person offers to maintain his wife on condition of her living with him, and his wife refuses to live with him, such Magistrate may consider any grounds of refusal stated by such wife; and may make the order allowed by this section notwithstanding such offer, if he is satisfied that such person is living in adultery, or that he has habitually treated his wife with cruelty.

No wife shall be entitled to receive an allowance from her husband under this section, if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by consent.

Alteration in allowance.

240. On the application of any person receiving or ordered to pay a monthly allowance under the provisions of section 239, and on proof of a change in the circumstances of such person, his wife, or child, the Magistrate may make such alteration in the allowance ordered as he deems fit, provided the total sum of rupees fifty a month be not exceeded.

Enforcement of order.

241. A copy of the order of maintenance shall be given to the person for whose maintenance it is made, or to the guardian of such person, and shall be enforceable by any Magistrate in any place where the person to whom the order is addressed may be, on the Magistrate being satisfied as to the identity of the parties and the non-payment of the sum claimed.

CHAPTER XXVI.

MISCELLANEOUS.

Procedure in cases mentioned in this and previous chapters.

242. The procedure prescribed by this Act shall be followed, so far as it can be, in all miscellaneous criminal cases and proceedings.

Offences against Railway, Telegraph, Post Office and Arms' Acts.

243. All offences against the provisions of any law for the time being in force relating to Railways, Telegraphs, the Post Office, and Arms and Ammunition may be enquired into by Magistrates and may be tried according to the provisions of this Act.

Effect of jurisdiction.

244. The jurisdiction given to Magistrates under section 243 may be exercised whether the offence shall be charged to have been committed within the local limits of the jurisdiction of such Magistrates or not; but such jurisdiction shall only be exercised if the witnesses necessary for the prosecution of the offender are to be found within the local limits of the jurisdiction of the Magistrate before whom the offender is charged.

Power to award costs.

245. A Magistrate disposing of any complaint may award such costs as he thinks fit, to be paid to or by either of the parties, as he directs, and such costs shall be recoverable as if they were fines.

Reference to High Court.

246. A Magistrate may, if he thinks fit, refer for the opinion of the High Court any question of law which may arise in the hearing of any case in which he has jurisdiction; or may give judgment in any such matter, subject to the decision of the High Court on such reference; and, pending such decision he the High Court, may either commit the accused person to prison or release him on bail to appear for judgment when called upon.

Disposal of case according to decision of High Court.

247. When a question has been so referred, the High Court shall pass such order therein as it thinks fit.

A copy of the decision of the High Court, under the seal of the Court and the signature of the Registrar, shall be transmitted to the Magistrate by whom the reference was made, who shall proceed to dispose of the case conformably to the said decision, and shall also be empowered to direct by whom the costs of the reference shall be paid.

Question not to be stated.

Order for disposal of property pending trial where offence committed.

248. When the inquiry or trial before any Magistrate is concluded, he may make such order as appears right for the disposal of any property produced before him, regarding which any offence appears to have been committed.

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

Power to order restitution of property, or fine on offender.

249. Upon a conviction of any offence by means of or in consequence of which the possession of property has been transferred, the Magistrate may order the restitution of the property forming the subject of the charge, if forthcoming, to the owner; and, in case of its not being restored pursuant to such order, may impose on any person refusing or neglecting to restore the same, a fine not exceeding the value of the said property, which the Magistrate may order to be paid to the owner or his representative.

Power to order disposal of property in custody of Police-officer.

250. If any property charged to be stolen or fraudulently obtained, is in the custody of any Police-officer by virtue of any warrant of a Magistrate, or in connection with any charge of an offence in regard to the obtaining thereof, and the person charged with such offence is not found, or has been summarily dealt with and discharged, or has been tried and acquitted, or if such person has been tried and found guilty, but the property so in custody has not been included in the charge upon which he has been found guilty, or if any property has been seized by a Police-officer under chapter XVI, it shall be lawful for any Magistrate to make an order for the delivery of such property to the party appearing to be the rightful owner thereof; or, in case the owner cannot be ascertained, then to make such order with respect to the property as the Magistrate thinks fit:

Provided that no such order shall bar the right of any person to sue the party to whom the property is delivered, and to recover such property from him, so that the suit be commenced within two months next after such order has been made.

Expenses of complainants and witnesses.

251. Subject to any rules that may be passed by the local Government, with the previous sanction of the Governor General in Council, a Magistrate may order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial under this Act.

SCHEDULE I.

ENACTMENTS REPEALED.

(SEE SECTION 2.)

Acts.

No. and year.	Title or subject.	Extent of repeal.
XIII of 1856 ...	Presidency Towns Police	In the preamble, the words "and the administration of justice in the Police Courts." In section one, the words and figures "sections II and IV of Act XXII of 1857 and" Sections twenty-two, twenty-three, twenty-six to thirty one (both inclusive), thirty-six, thirty-seven, forty-one, forty-two, forty-four, forty-five, eighty-three, eighty-four, eighty-seven, ninety-three, ninety-five to ninety-eight (both inclusive), one hundred to one hundred and three (both inclusive), one hundred and six, one hundred and eight, one hundred and ten and one hundred and eleven. In section twenty-four, the words "or by any Magistrate of Police." In section thirty-five, clause two, the words "on oath."
XLVIII of 1860	Amending Act XIII of 1856.	Sections four, five, six, eight, ten, twenty-four, twenty-five and twenty-six.
LII of 1860 ...	Trials for breach of Railway Police Regulations.	The whole.
XXI of 1861 ...	An Act for the extension of the jurisdiction of the Magistrates of Police in Calcutta.	The whole.
Madras Act VIII of 1867.	Madras Town Police and Police Magistrates.	In the preamble, the words "and to extend the jurisdiction of the Town Police Magistrates." Sections ten to sixteen (both inclusive), nineteen, twenty-one, twenty-two, fifty-two, fifty-three, fifty-eight, sixty to seventy (both inclusive), seventy-two to seventy-four (both inclusive).
Bengal Act IV of 1866.	The Calcutta Police Act, 1866.	Sections twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty, thirty-one, sixty-nine, seventy-three, seventy-nine, eighty-two to ninety-four (both inclusive), ninety-six to ninety-eight (both inclusive).
Bengal Act VIII of 1866.	Amending Bengal Act IV of 1866.	The whole.
Bombay Act IV of 1866.	Court of Petty Sessions, Bombay.	The whole.

SCHEDULE II.

TABULAR STATEMENT OF OFFENCES.

(SEE SECTION 4.)

EXPLANATORY NOTES.—1st.—The entries in the second and sixth columns of the schedule, headed respectively "Offence" and "Punishment under the Indian Penal Code," are not intended as definitions of the offences and punishments described in the several corresponding sections of the Indian Penal Code, or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the 1st column.

2nd.—The term "Whether bailable or not," in column 5, is to be taken in connection with the provisions of sections 155 and 156 of this Act.

3rd.—The High Court may try an offence entered in column 7 as triable by a Magistrate.

4th.—The last part of the schedule, headed "Offences against other Laws," shall not be taken to alter or affect any special provision contained in such laws regarding the procedure to be followed in the case of offences made punishable thereby.

CHAPTER V.—OF ABETMENT.

1 Section.	2 OFFENCE.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
109	Abetment of any offence, if the act abetted is committed in consequence, and where no express provision is made for its punishment.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence abetted.	By the Court by which the offence abetted is triable.
110	Abetment of any offence, if the person abetted does the act with a different intention from that of the abettor.	Ditto	Ditto	Ditto	Ditto	Ditto.

CHAPTER V.—OF ABETMENT—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
111	When one act is abetted and a different act is done, subject to the proviso.	May arrest without warrant, if arrest for the offence abetted may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence abetted.	According as the offence abetted is bailable or not.	The same punishment as for the offence intended to be abetted.	By the Court by which the offence abetted is triable.
113	When an effect is caused by the act abetted different from that intended by the abettor.	Ditto -	Ditto -	Ditto -	The same punishment as for the offence committed.	Ditto.
114	If abettor is present when offence is committed	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
115	Abetment of an offence punishable with death or transportation for life, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	Not bailable.	Imprisonment of either description for 7 years and fine.	Ditto.
	If an act which causes harm be done in consequence of the abetment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 14 years and fine.	Ditto.
116	Abetment of an offence punishable with imprisonment, if the offence be not committed in consequence of the abetment.	Ditto -	Ditto -	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.

	If the abettor or the person abetted be a public servant, whose duty is to prevent the offence.	Ditto	Ditto	Ditto	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
117	Abetting the commission of an offence by the public, or by more than ten persons.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
118	Concealing a design to commit an offence punishable with death or transportation for life, if the offence be committed.	Ditto	Ditto	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
	If the offence be not committed - -	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
119	A public servant concealing a design to commit an offence which it is his duty to prevent, if the offence be committed.	Ditto	Ditto	According as the offence abetted is bailable or not.	Imprisonment extending to half of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
	If the offence be punishable with death or transportation.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years.	Ditto.
	If the offence be not committed - -	Ditto	Ditto	According as the offence abetted is bailable or not.	Imprisonment extending to quarter part of the longest term, and of any description, provided for the offence, or fine, or both.	Ditto.
120	Concealing a design to commit an offence punishable with imprisonment, if the offence be committed.	Ditto	Ditto	Ditto	Imprisonment extending to quarter part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.
	If not committed - - -	Ditto	Ditto	Ditto	Imprisonment extending to one-eighth part of the longest term, and of the description, provided for the offence, or fine, or both.	Ditto.

CHAPTER VI.—OFFENCES AGAINST THE STATE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant -	Not bailable -	Death, or transportation for life, and forfeiture of property.	High Court.
121A	Conspiring to commit certain offences against the State.	Ditto -	Ditto -	Ditto -	Transportation for life or any shorter term, or imprisonment of either description for ten years.	Ditto.
122	Collecting arms, &c., with the intention of waging war against the Queen.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Ditto.
123	Concealing with intent to facilitate a design to wage war.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
124	Assaulting Governor General, Governor, &c., with intent to compel or restrain the exercise of any lawful power.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
124A	Exciting, or attempting to excite, disaffection -	Ditto -	Ditto -	Ditto -	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Ditto.
125	Waging war against any Asiatic Power in alliance or at peace with the Queen, or abetting the waging of such war.	Ditto -	Ditto -	Ditto -	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Ditto.

126	Committing depredation on the territories of any Power in alliance or at peace with the Queen.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Ditto.
127	Receiving property taken by war or depredation, mentioned in sections 125 and 126.	Ditto	Ditto	Ditto	Ditto	Ditto.
128	Public servant voluntarily allowing prisoner of State or War in his custody to escape.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
129	Public servant negligently suffering prisoner of State or War in his custody to escape.	Ditto	Ditto	Bailable	Simple imprisonment for 3 years and fine.	High Court or Magistrate.
130	Aiding escape of, rescuing, or harbouring, such prisoner, or offering any resistance to the recapture of such prisoner.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY.

131	Abetting mutiny, or attempting to seduce an officer, soldier or sailor from his allegiance or duty.	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
132	Abetment of mutiny, if mutiny is committed in consequence thereof.	Ditto	Ditto	Ditto	Death or transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
133	Abetment of an assault by an officer, soldier or sailor on his superior officer when in the execution of his office.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.

CHAPTER VII.—OFFENCES RELATING TO THE ARMY AND NAVY—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
134	Abetment of such assault, if the assault is committed.	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 7 years and fine.	High Court.
135	Abetment of the desertion of an officer, soldier or sailor.	Ditto	Ditto	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
136	Harbouring such an officer, soldier or sailor, who has deserted.	Ditto	Ditto	Ditto	Ditto	Ditto.
137	Deserter concealed on board merchant-vessel, through negligence of master or person in charge thereof.	Shall not arrest without warrant.	Summons	Ditto	Fine of 500 rupees	Ditto.
138	Abetment of act of insubordination by an officer, soldier or sailor, if the offence be committed in consequence.	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
140	Wearing the dress or carrying any token used by a soldier, with intent that it may be believed that he is such a soldier.	Ditto	Summons	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY.

143	Being member of an unlawful assembly	May arrest without warrant.	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.

144	Joining an unlawful assembly armed with any deadly weapon.	Ditto	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
145	Joining or continuing in an unlawful assembly, knowing that it has been commanded to disperse.	Ditto	Ditto	Ditto	Ditto	Ditto.
147	Rioting	Ditto	Ditto	Ditto	Ditto	Ditto.
148	Rioting armed with a deadly weapon	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
149	If an offence be committed by any member of an unlawful assembly, every other member of such assembly shall be guilty of the offence.	According as arrest may be made without warrant for the offence or not.	According as a warrant or summons may issue for the offence.	According as the offence is bailable or not.	The same as for the offence	By the Court by which the offence is triable.
150	Hiring, engaging, or employing persons to take part in an unlawful assembly.	May arrest without warrant.	According to the offence committed by the person hired, engaged, or employed.	Ditto	The same as for a member of such assembly, and for any offence committed by any member of such assembly.	Ditto.
151	Knowingly joining or continuing in any assembly of five or more persons after it has been commanded to disperse.	Ditto	Summons	Bailable	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
152	Assaulting or obstructing public servant when suppressing riot, &c.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER VIII.—OFFENCES AGAINST THE PUBLIC TRANQUILLITY—*continued*.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
153	Wantonly giving provocation with intent to cause riot, if rioting be committed.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
	If not committed - - -	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
154	Owner or occupier of land not giving information of riot, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Fine of 1,000 rupees - -	Ditto.
155	Person for whose benefit or on whose behalf a riot takes place not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Fine - - -	Ditto.
156	Agent of owner or occupier for whose benefit a riot is committed not using all lawful means to prevent it.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
157	Harbouring persons hired for an unlawful assembly.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Ditto.
158	Being hired to take part in an unlawful assembly or riot.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	Or to go armed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

160	Committing affray	Shall not arrest without warrant.	Summons	Ditto	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Ditto.

CHAPTER X.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS.

161	Being or expecting to be a public servant, and taking a gratification other than legal remuneration in respect of an official act.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
162	Taking a gratification in order by corrupt or illegal means to influence a public servant.	Ditto	Ditto	Ditto	Ditto	Ditto.
163	Taking a gratification for the exercise of personal influence with a public servant.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
164	Abetment by public servant of the offences defined in the last two preceding clauses with reference to himself.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
165	Public servant obtaining any valuable thing, without consideration, from a person concerned in any proceeding or business transacted by such public servant.	Ditto	Ditto	Ditto	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
166	Public servant disobeying a direction of the law with intent to cause injury to any person.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Ditto.
167	Public servant framing an incorrect document with intent to cause injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER IX.—OFFENCES BY OR RELATING TO PUBLIC SERVANTS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
168	Public servant unlawfully engaging in trade	Shall not arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 year, or fine, or both.	Magistrate.
169	Public servant unlawfully buying or bidding for property.	Ditto	Ditto	Ditto	Simple imprisonment for 2 years, or fine, or both, and confiscation of property, if purchased.	Ditto.
170	Personating a public servant	May arrest without warrant.	Warrant	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
171	Wearing garb or carrying token used by public servant with fraudulent intent.	Ditto	Summons	Ditto	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS.

172	Absconding to avoid service of summons or other proceeding from a public servant.	Shall not arrest without warrant.	Summons	Bailable	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If summons or notice require attendance in person, &c., in a Court of Justice.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

173	Preventing the service or the affixing of any summons or notice, or the removal of it when it has been affixed, or preventing a proclamation.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If summons, &c., require attendance in person, &c., in a Court of Justice.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Ditto.
	If the order require personal attendance, &c., in a Court of Justice.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.
	If the document is required to be produced in or delivered to a Court of Justice.	Ditto	Ditto	Ditto	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—continued.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
	If the notice or information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
177	Knowingly furnishing false information to a public servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the information required respects the commission of an offence, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
178	Refusing oath when duly required to take oath by a public servant.	Ditto -	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions of chapter XXXII of the Code of Criminal Procedure, or if not committed in a Court, a Magistrate.

179	Being legally bound to state truth, and refusing to answer questions.	Ditto	Ditto	Ditto	Ditto		Ditto.
180	Refusing to sign a statement made to a public servant when legally required to do so.	Ditto	Ditto	Ditto	Simple imprisonment for 3 months, or fine of 500 rupees, or both.		Ditto.
181	Knowingly stating to a public servant on oath as true that which is false.	Ditto	Warrant	Ditto	Imprisonment of either description for 3 years, or fine, or both.		High Court or Magistrate.
182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.		Magistrate.
183	Resistance to the taking of property by the lawful authority of a public servant.	Ditto	Ditto	Ditto	Ditto		Ditto.
184	Obstructing sale of property offered for sale by authority of a public servant.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.		Ditto.
185	Bidding, by a person under a legal incapacity to purchase it, for property at a lawfully authorized sale, or bidding without intending to perform the obligations incurred thereby.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 month, or fine of 200 rupees, or both.		Ditto.
186	Obstructing public servant in discharge of his public functions.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.		Ditto.
187	Omission to assist public servant when bound by law to give such assistance.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.		Ditto.

CHAPTER X.—CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, &c.	Shall not arrest without warrant.	Summons	Bailable	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	Magistrate.
188	Disobedience to an order lawfully promulgated by a public servant, if such disobedience causes obstruction or annoyance or injury to persons lawfully employed.	Ditto	Ditto	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.
	If such disobedience causes danger to human life, health or safety, &c.	Ditto	Ditto	Ditto	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	Ditto.
189	Threatening a public servant with injury to him, or one in whom he is interested, to induce him to do or forbear to do any official act.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
190	Threatening any person to induce him to refrain from making a legal application for protection from injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE.

193	Giving or fabricating false evidence in a judicial proceeding.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.

	Giving or fabricating false evidence in any other case.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
194	Giving or fabricating false evidence with intent to cause any person to be convicted of a capital offence.	Ditto	Ditto	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
	If innocent person be thereby convicted and executed.	Ditto	Ditto	Ditto	Death, or as above	Ditto.
195	Giving or fabricating false evidence with intent to procure conviction of an offence punishable with transportation, or imprisonment for more than seven years.	Ditto	Ditto	Ditto	The same as for the offence	Ditto.
196	Using, in a judicial proceeding, evidence known to be false or fabricated.	Ditto	Ditto	According as the offence of giving such evidence is bailable or not.	The same as for giving or fabricating false evidence.	High Court or Magistrate.
197	Knowingly issuing or signing a false certificate relating to any fact of which such certificate is by law admissible in evidence.	Ditto	Ditto	Bailable	The same as for giving false evidence	Ditto.
198	Using as a true certificate one known to be false in a material point.	Ditto	Ditto	Ditto	Ditto	Ditto.
199	False statement made in any declaration which is by law received as evidence.	Ditto	Ditto	Ditto	Ditto	Ditto.
200	Using as true any such declaration known to be false.	Ditto	Ditto	Ditto	Ditto	Ditto.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
201	Causing disappearance of evidence of an offence committed, or giving false information touching it to screen the offender, if a capital offence.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation, or imprisonment for ten years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with less than 10 years' imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
202	Intentional omission to give information of an offence by a person legally bound to inform.	Ditto -	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
203	Giving false information respecting an offence committed.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
204	Secreting or destroying any document to prevent its production as evidence.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

205	False personation for the purpose of any act or proceeding in a suit or criminal prosecution, or for becoming bail or security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
206	Fraudulent removal or concealment, &c., of property to prevent its seizure as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
207	Claiming property without right, or practising deception touching any right to it, to prevent its being taken as a forfeiture, or in satisfaction of a fine under sentence, or in execution of a decree.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
208	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto
209	False claim in a Court of Justice -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Ditto.
210	Fraudulently obtaining a decree for a sum not due, or causing a decree to be executed after it has been satisfied.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
211	False charge of offence made with intent to injure.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If offence charged be capital or punishable with transportation for life, or imprisonment for 7 years, or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
212	Harbouring an offender if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If punishable with transportation for life, or with imprisonment for 10 years.	May arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If punishable with imprisonment for 1 year, and not for 10 years.	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
213	Taking gift, &c., to screen an offender from punishment, if the offence be capital.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years	Ditto	Ditto	Ditto	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

214	Gift made to cause restoration of property in consideration of screening offender if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If with imprisonment for less than 10 years ...	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.
215	Taking gift to help to recover movable property of which a person has been deprived by an offence, without causing apprehension of offender.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
216	Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
	If punishable with transportation for life, or with imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
	If with imprisonment for 1 year, and not for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment for quarter of the longest term, and of the description, provided for the offence, or fine, or both.	By a Magistrate or by the Court by which the offence is triable.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
217	Public servant disobeying a direction of law with intent to save persons from punishment, or property from forfeiture.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
218	Public servant framing an incorrect record or writing with intent to save person from punishment, or property from forfeiture.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court.
219	Public servant in a judicial proceeding making or pronouncing an order, report, verdict or decision which he knows to be contrary to law.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
220	Commitment for trial or confinement by a person having authority, who knows that he is acting contrary to law.	Ditto -	Ditto -	Ditto -	Ditto - - - - - -	Ditto.
221	Intentional omission to apprehend on the part of a public servant bound by law to apprehend an offender, if the offence be capital.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, with or without fine.	High Court or Magistrate.

	If with imprisonment for less than 10 years -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for two years, with or without fine.	Magistrate.
222	Intentional omission to apprehend on the part of a public servant bound by law to apprehend person under sentence of a Court of Justice, if under sentence of death.	Ditto -	Ditto -	Not bailable -	Transportation for life, or imprisonment of either description for 14 years, with or without fine.	High Court.
	If under sentence of transportation for life, or imprisonment or penal servitude for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, with or without fine.	Ditto.
	If under sentence of imprisonment for less than 10 years.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
223	Escape from confinement negligently suffered by a public servant.	Ditto -	Summons -	Ditto -	Simple imprisonment for 2 years, or fine, or both.	Magistrate.
224	Resistance or obstruction by a person to his lawful apprehension.	May arrest without warrant -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
225	Resistance or obstruction to the lawful apprehension of another person, or rescuing him from lawful custody.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
	If charged with an offence punishable with transportation for life, or imprisonment for 10 years.	Ditto -	Ditto -	Not bailable -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If charged with a capital offence -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine.	High Court.
	If the person is sentenced to transportation for life, or to transportation, penal servitude, or imprisonment for 10 years or upwards.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.

CHAPTER XI.—FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
	If under sentence of death	May arrest without warrant.	Warrant -	Not bailable.	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
225A	Escape, or attempt to escape, from custody for failing to furnish security for good behaviour.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for one year, or fine, or both.	Magistrate.
226	Unlawful return from transportation	Ditto -	Ditto -	Not bailable.	Transportation for life, and fine and rigorous imprisonment for 3 years before transportation.	High Court.
227	Violation of condition of remission of punishment.	Shall not arrest without warrant.	Summons -	Ditto -	Punishment of original sentence, or, if part of the punishment has been undergone, the residue.	By the Court by which the original offence was triable.
228	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Ditto -	Ditto -	Bailable -	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	Court in which the offence is committed, subject to the provisions contained in chapter XXXII of the Code of Criminal Procedure.

229	Personation of a juror or assessor	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.		Magistrate of Police.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

231	Counterfeiting, or performing any part of the process of counterfeiting coin.	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 7 years and fine.		High Court.
232	Counterfeiting, or performing any part of the process of counterfeiting the Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.		Ditto.
233	Making, buying, or selling instrument for the purpose of counterfeiting coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.		High Court or Magistrate.
234	Making, buying, or selling instrument for the purpose of counterfeiting the Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.		High Court.
235	Possession of instrument or material for the purpose of using the same for counterfeiting coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.		High Court or Magistrate.
	If Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.		High Court.
236	Abetting in India the counterfeiting out of British India of coin.	Ditto	Ditto	Ditto	The punishment provided for abetting the counterfeiting of such coin within British India.		Ditto.
237	Import or export of counterfeit coin, knowing the same to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.		High Court or Magistrate.

CHAPTER XII—OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
238	Import or export of counterfeits of the Queen's coin, knowing the same to be counterfeit.	May arrest without warrant.	Warrant.	Not bailable.	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
239	Having any counterfeit coin known to be such when it came into possession, and delivering, &c., the same to any person.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
240	The same with respect to the Queen's coin.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
241	Knowingly delivering to another any counterfeit coin as genuine which, when first possessed, the deliverer did not know to be counterfeit.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine of ten times the value of the coin counterfeited, or both.	Magistrate.
242	Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
243	Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.

244	Persons employed in a Mint causing coin to be of a different weight or composition from that fixed by law.	Ditto	Ditto	Ditto	Ditto	High Court.
245	Unlawfully taking from a Mint any coining instrument.	Ditto	Ditto	Ditto	Ditto	Ditto.
246	Fraudulently diminishing the weight or altering the composition of any coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
247	Fraudulently diminishing the weight or altering the composition of the Queen's coin.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
248	Altering appearance of any coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
249	Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
250	Delivery to another of coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.
251	Delivery of Queen's coin possessed with the knowledge that it is altered.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
252	Possession of altered coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years and fine.	Ditto.
253	Possession of Queen's coin by a person who knew it to be altered when he became possessed thereof.	Ditto	Ditto	Ditto	Imprisonment of either description for 5 years and fine.	Ditto.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily be issued in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
254	Delivery to another of coin as genuine, which, when first possessed, the deliverer did not know to be altered.	May arrest without warrant.	Warrant	Not bailable.	Imprisonment of either description for 5 years, or fine of ten times the value of the coin.	Magistrate.
255	Counterfeiting a Government stamp	Ditto	Ditto	Bailable	Imprisonment of either description for 10 years and fine.	High Court.
256	Having possession of an instrument or material for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
257	Making, buying, or selling instrument for the purpose of counterfeiting a Government stamp.	Ditto	Ditto	Ditto	Ditto	Ditto.
258	Sale of counterfeit Government stamp	Ditto	Ditto	Ditto	Ditto	Ditto.
259	Having possession of a counterfeit Government stamp.	Ditto	Ditto	Ditto	Ditto	High Court or Magistrate.
260	Using as genuine a Government stamp known to be counterfeit.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
261	Effacing any writing from a substance bearing a Government stamp, or removing from a document a stamp used for it with intent to cause wrongful loss to Government.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	Ditto.

262	Using a Government stamp known to have been before used.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
263	Erasure of mark denoting that stamp has been used.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES.

264	Fraudulent use of false instrument for weighing	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
265	Fraudulent use of false weight or measure -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
266	Being in possession of false weights or measures for fraudulent use.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
267	Making or selling false weights or measures for fraudulent use.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
270	Malignantly doing any act known to be likely to spread infection of any disease dangerous to life.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
271	Knowingly disobeying any quarantine-rule -	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine, or both.	Magistrate.
272	Adulterating food or drink for man, intended for sale, so as to make the same noxious.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
273	Selling any food or drink as food and drink for man knowing the same to be noxious.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
274	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
275	Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
276	Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
277	Defiling the water of a public spring or reservoir.	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Ditto.

278	Making atmosphere noxious to health	Shall not arrest without warrant.	Ditto	Ditto	Fine of 500 rupees	Ditto.
279	Driving or riding on a public way so rashly or negligently as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
280	Navigating any vessel so rashly or negligently as to endanger human life, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
281	Exhibition of a false light, mark, or buoy	Ditto	Warrant	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court.
282	Conveying for hire any person by water in a vessel in such a state, or so loaded, as to endanger his life.	Ditto	Summons	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Magistrate.
283	Causing danger, obstruction, or injury in any public way or line of navigation.	Ditto	Ditto	Ditto	Fine of 200 rupees	Ditto.
284	Dealing with any poisonous substance so as to endanger human life, &c.	Shall not arrest without warrant.	Ditto	Ditto	Imprisonment of either description for 6 months, or fine of 1,000 rupees, or both.	Ditto.
285	Dealing with fire or any combustible matter so as to endanger human life, &c.	May arrest without warrant.	Ditto	Ditto	Ditto	Ditto.
286	So dealing with any explosive substance	Ditto	Ditto	Ditto	Ditto	Ditto.
287	So dealing with any machinery	Shall not arrest without warrant.	Ditto	Ditto	Ditto	Ditto.

CHAPTER XIV.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
288	A person omitting to guard against probable danger to human life by the fall of any building, over which he had a right entitling him to pull it down or repair it.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 6 months, or fine of Rs. 1,000, or both.	Magistrate.
289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt from such animal.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
290	Committing a public nuisance. - -	Shall not arrest without warrant.	Ditto -	Ditto -	Fine of 200 rupees - -	Ditto.
291	Continuance of nuisance after injunction to discontinue.	May arrest without warrant.	Ditto -	Ditto -	Simple imprisonment for 6 months, or fine, or both.	Ditto.
292	Sale, &c., of obscene books, &c.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 3 months, or fine, or both.	Ditto.
293	Having in possession obscene book, &c., for sale or exhibition.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
294	Obscene songs	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

294A	Keeping a lottery-office - - -	Shall not arrest without warrant.	Summons -	Ditto -	Imprisonment of either description for 6 months, or fine, or both.		Ditto.
	Publishing proposals relating to lotteries -	Ditto -	Ditto -	Ditto -	Fine of 1,000 rupees - -		Ditto.

CHAPTER XV.—OFFENCES RELATING TO RELIGION.

295	Destroying, damaging, or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	May arrest without warrant.	Summons	Bailable -	Imprisonment of either description for 2 years, or fine, or both.		Magistrate.
296	Causing a disturbance to an assembly engaged in religious worship.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.		Ditto.
297	Trespassing in a place of worship or sepulture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse.	Ditto -	Ditto -	Ditto -	Ditto - - - -		Ditto.
298	Uttering any word or making any sound in the hearing, or making any gesture or placing any object in the sight, of any person, with intention to wound his religious feeling.	Shall not arrest without warrant.	Ditto -	Ditto -	Ditto - - -		Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY.

Offences affecting life.

302	Murder - - - -	May arrest without warrant.	Warrant -	Not bailable	Death, transportation for life and fine		High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Offences affecting life—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
303	Murder by a person under sentence of transportation for life.	May arrest without warrant.	Warrant	Not bailable	Death	High Court.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, &c.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
304A	Causing death by rash or negligent act	Ditto	Ditto	Bailable	Imprisonment of either description for two years, or fine, or both.	High Court or Magistrate.
305	Abetment of suicide committed by a child, or insane or delirious person, or an idiot, or a person intoxicated.	Ditto	Ditto	Not bailable	Death, or transportation for life, or imprisonment for 10 years and fine.	High Court.
306	Abetting the commission of suicide	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
307	Attempt to murder	Ditto	Ditto	Ditto	Ditto	Ditto.
	If such act cause hurt to any person	Ditto	Ditto	Ditto	Transportation for life, or as above	Ditto.

308	Attempt to commit culpable homicide -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
	If such act cause hurt to any person -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
309	Attempt to commit suicide - -	Ditto -	Ditto -	Ditto -	Simple imprisonment for 1 year and fine.	Magistrate.
311	Being a thug - - -	Ditto -	Ditto -	Not bailable	Transportation for life and fine.	High Court.

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births.

312	Causing miscarriage - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 3 years, or fine, or both.	High Court.
	If the woman be quick with child - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
313	Causing miscarriage without woman's consent -	Ditto -	Ditto -	Not bailable.	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
314	Death caused by an act done with intent to cause miscarriage.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
	If act done without woman's consent -	Ditto -	Ditto -	Ditto -	Transportation for life, or as above.	Ditto.
315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years, or fine, or both.	Ditto.
316	Causing death of a quick unborn child by an act amounting to culpable homicide.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of the causing of Miscarriage; of Injuries to unborn Children; of the Exposure of Infants; and of the Concealment of Births—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
317	Exposure of a child under twelve years of age, by parent or person having care of it, with intention of wholly abandoning it.	May arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 7 years, or fine, or both.	High Court.
318	Concealment of birth by secret disposal of dead body.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	High Court or Magistrate.
	Of Hurt.					
323	Voluntarily causing hurt	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Magistrate.
324	Voluntarily causing hurt by dangerous weapons or means.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
325	Voluntarily causing grievous hurt	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.

326	Voluntarily causing grievous hurt by dangerous weapons or means.	Ditto	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto	Warrant	Ditto	Imprisonment of either description for 10 years and fine.	High Court.
328	Administering stupefying drug with intent to cause hurt.	Ditto	Ditto	Ditto	Ditto	Ditto.
329	Voluntarily causing grevious hurt to extort property or a valuable security, or to constrain to do an illegal act which may facilitate the commission of an offence.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
330	Voluntarily causing hurt to extort confession or information, or to compel restoration of property, &c.	Ditto	Ditto	Bailable	Imprisonment of either description for 7 years and fine.	Ditto.
331	Voluntarily causing grievous hurt to extort confession or information, or to compel restoration of property, &c.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
332	Voluntarily causing hurt to deter public servant from his duty.	Ditto	Ditto	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
333	Voluntarily causing grievous hurt to deter public servant from his duty.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Ditto	Summons	Bailable	Imprisonment of either description for 1 month, or fine of 500 rupees, or both.	Magistrate.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Hurt—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
335	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 4 years, or fine of 2,000 rupees, or both.	High Court or Magistrate.
336	Doing any act which endangers human life or the personal safety of others.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 250 rupees, or both.	Magistrate.
337	Causing hurt by an act which endangers human life, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 6 months, or fine of 500 rupees, or both.	Ditto.
338	Causing grievous hurt by an act which endangers human life, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine of 1,000 rupees, or both.	Ditto.

Of wrongful Restraint and wrongful Confinement.

341	Wrongfully restraining any person -	May arrest without warrant.	Summons -	Bailable -	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	Magistrate.
342	Wrongfully confining any person -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.

343	Wrongfully confining for three or more days -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
344	Wrongfully confining for ten or more days -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
345	Keeping any person in wrongful confinement, knowing that a writ has been issued for his liberation.	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 2 years, in addition to imprisonment under any other section.	Ditto.
346	Wrongful confinement in secret - -	May arrest without warrant.	Ditto -	Ditto -	Ditto - -	Ditto.
347	Wrongful confinement for the purpose of extorting property, or constraining to an illegal act, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.
348	Wrongful confinement for the purpose of extorting confession or information, or of compelling restoration of property, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

Of Criminal Force and Assault.

352	Assault or use of criminal force otherwise than on grave provocation.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
353	Assault or use of criminal force to deter a public servant from discharge of his duty.	May arrest without warrant.	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
354	Assault or use of criminal force to a woman with intent to outrage her modesty.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*continued.*

Of Criminal Force and Assault.—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
355	Assault or criminal force with intent to dishonour a person, otherwise than on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Bailable	Imprisonment of either description for 2 years, or fine, or both	Magistrate.
356	Assault or criminal force in attempt to commit theft of property worn or carried by a person.	May arrest without warrant.	Warrant	Not bailable	Ditto	Ditto.
357	Assault or use of criminal force in attempt wrongfully to confine a person.	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
358	Assault or use of criminal force on grave and sudden provocation.	Shall not arrest without warrant.	Summons	Ditto	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	Ditto.

Of Kidnapping, Forcible Abduction, Slavery and forced Labour.

363	Kidnapping	May arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
364	Kidnapping or abducting in order to murder	Ditto	Ditto	Ditto	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.

365	Kidnapping or abducting with intent secretly and wrongfully to confine a person.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
366	Kidnapping or abducting a woman to compel her marriage or to cause her defilement, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
367	Kidnapping or abducting in order to subject a person to grievous hurt, slavery, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
368	Concealing or keeping in confinement a kidnapped person.	Ditto	Ditto	Ditto	Punishment for kidnapping or abduction.	Ditto.
369	Kidnapping or abducting a child with intent to take property from the person of such child.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
370	Buying or disposing of any person as a slave	Shall not arrest without warrant.	Ditto	Bailable	Ditto	Ditto.
371	Habitual dealing in slaves	May arrest without warrant.	Ditto	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
372	Selling or letting to hire a minor for the purpose of prostitution.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	High Court or Magistrate.
373	Buying or obtaining possession of a minor for the same purpose.	Ditto	Ditto	Ditto	Ditto	Ditto.
374	Unlawful compulsory labour.	Ditto	Ditto	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
			Of Rape.			
376	Rape	May arrest without warrant.	Warrant	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVI.—OFFENCES AFFECTING THE HUMAN BODY—*concluded.*

Of Unnatural Offences.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
377	Unnatural offences - - -	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY.

Of Theft.

379	Theft - - - -	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	Magistrate.
380	Theft in a building, tent or vessel -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
381	Theft by clerk or servant, of property in possession of master or employer.	Ditto -	Ditto -	Ditto -	Ditto	High Court or Magistrate.

382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing such theft, or to retiring after committing it, or to retaining property taken by it.	Ditto	Ditto	Ditto	Rigorous imprisonment for 10 years and fine.	High Court.

Of Extortion.

384	Extortion	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
387	Putting or attempting to put a person in fear of death or grievous hurt, in order to commit extortion.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years and fine.	Ditto.
388	Extortion by threat of accusation of an offence punishable with death, transportation for life, or imprisonment for 10 years.	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine.	Ditto.
	If the offence threatened be an unnatural offence	Ditto	Ditto	Ditto	Transportation for life	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued*.

Of Extortion—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
389	Putting person in fear of accusation of offence punishable with death, transportation for life, or with imprisonment for 10 years, in order to commit extortion.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.
	If the offence be an unnatural offence ...	Ditto -	Ditto -	Ditto -	Transportation for life - -	Ditto.

Of Robbery and Dacoity.

392	Robbery - - - -	May arrest without warrant.	Warrant -	Not bailable	Rigorous imprisonment for 10 years and fine.	High Court or Magistrate.
	If committed on the highway between sunset and sunrise.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 14 years and fine.	Ditto.
393	Attempt to commit robbery -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person generally concerned in such robbery.	Ditto -	Ditto -	Ditto -	Transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
395	Dacoity - - - -	Ditto -	Ditto -	Ditto -	Ditto - - -	High Court.

396	Murder in dacoity -	Ditto -	Ditto -	Ditto -	Death, transportation for life, or rigorous imprisonment for 10 years and fine.	Ditto.
397	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for not less than 7 years.	Ditto.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
399	Making preparation to commit dacoity -	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 10 years and fine.	Ditto.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	Ditto -	Ditto -	Ditto -	Rigorous imprisonment for 7 years and fine.	Ditto.
402	Being one of five or more persons assembled for the purpose of committing dacoity.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

Of Criminal Misappropriation of Property.

403	Dishonest misappropriation of moveable property, or converting it to one's own use.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
404	Dishonest misappropriation of property, knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If by clerk or person employed by deceased -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Criminal Breach of Trust.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
406	**Criminal breach of trust**	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
407	Criminal breach of trust by a carrier, wharfinger, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
408	Criminal breach of trust by a clerk or servant.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
409	Criminal breach of trust by public servant, or by banker, merchant or agent, &c.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.

Of the Receiving of Stolen Property.

411	**Dishonestly receiving stolen property, knowing it to be stolen.**	May arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
412	**Dishonestly receiving stolen property, knowing that it was obtained by dacoity.**	Ditto -	Ditto -	Ditto -	**Transportation for life, or rigorous imprisonment for 10 years and fine.**	High Court.

413	**Habitually dealing in stolen property** -	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
414	Assisting in concealment or disposal of stolen property, knowing it to be stolen.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
			Of Cheating.			
417	**Cheating** - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
418	**Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect.**	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
419	Cheating by personation - -	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
420	Cheating and thereby dishonestly inducing delivery of property, or the alteration or destruction of a valuable security.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
			Of Fraudulent Deeds and Dispositions of Property.			
421	Fraudulent removal or concealment of property, &c., to prevent distribution among creditors.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Fraudulent Deeds and Dispositions of Property—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
422	Fraudulently preventing from being made available for his creditors a debt or demand due to the offender.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
424	Fraudulent removal or concealment of property of himself or any other person, or assisting in the doing thereof, or dishonestly releasing any demand or claim to which he is entitled.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.

Of Mischief.

426	Mischief - - - -	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 months, or fine, or both.	Magistrate.
427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
428	Mischief by killing, poisoning, maiming or rendering useless, any animal of the value of ten rupees or upwards.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.

429	**Mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, &c., whatever may be its value, or any other animal of the value of 50 rupees or upwards.**	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years, or fine, or both.	High Court or Magistrate.
430	**Mischief by causing diminution of supply of water for agricultural purposes, &c.**	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
431	**Mischief by injury to public road, bridge, river or navigable channel, and rendering it impassable or less safe for travelling, or conveying property.**	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
432	**Mischief by causing inundation or obstruction to public drainage, attended with damage.**	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
433	**Mischief by destroying or moving or rendering less useful a light-house or sea-mark, or by exhibiting false lights.**	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years, or fine, or both.	High Court.
434	**Mischief by destroying or moving, &c., a land-mark fixed by public authority.**	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
435	**Mischief by fire or explosive substance, with intent to cause damage to amount of 100 rupees or upwards.**	May arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	High Court.
436	**Mischief by fire or explosive substance, with intent to destroy a house, &c.**	Ditto -	Ditto -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
437	**Mischief with intent to destroy or make unsafe a decked vessel or a vessel of twenty tons burden.**	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*continued.*

Of Mischief—concluded.

1 Section.	Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
438	The mischief described in the last section, when committed by fire or any explosive substance.	May arrest without warrant.	Warrant -	Not bailable	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
439	Running vessel ashore with intent to commit theft, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
440	Mischief committed after preparation made for causing death or hurt, &c.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 5 years and fine.	Ditto.
	Of Criminal Trespass.					
447	Criminal trespass - - -	May arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 3 months, or fine of 500 rupees, or both.	Magistrate.
448	House-trespass - - -	Ditto -	Warrant -	Ditto -	Imprisonment of either description for 1 year, or fine of 1,000 rupees, or both.	Ditto.
449	House-trespass in order to the commission of an offence punishable with death.	Ditto -	Ditto -	Not bailable	Transportation for life, or rigorous imprisonment for 10 years and fine.	High Court.
450	House-trespass in order to the commission of an offence punishable with transportation for life.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto

451	House-trespass in order to the commission of an offence punishable with imprisonment.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 2 years and fine.	Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	High Court or Magistrate.
452	House-trespass, having made preparation for causing hurt, assault, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
453	Lurking house-trespass or house-breaking -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years and fine.	Magistrate.
454	Lurking house-trespass or house-breaking in order to the commission of an offence punishable with imprisonment.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
	If the offence is theft - - -	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 10 years and fine.	Ditto.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
456	Lurking house-trespass or house-breaking by night.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 years and fine.	Ditto.

CHAPTER XVII.—OF OFFENCES AGAINST PROPERTY—*concluded.*

Of Criminal Trespass—concluded.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	May arrest without warrant.	Warrant	Not bailable.	Imprisonment of either description for 5 years and fine.	High Court or Magistrate.
	If the offence is theft	Ditto	Ditto	Ditto	Imprisonment of either description for 14 years and fine.	Ditto.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Ditto	Ditto	Ditto	Transportation for life, or imprisonment of either description for 10 years and fine.	High Court.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.	Ditto	Ditto	Ditto	Ditto	Ditto.
461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto	Ditto	Bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
462	Being entrusted with any closed receptacle containing or supposed to contain any property, and fraudulently opening the same.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

465	Forgery - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	High Court.
466	Forgery of a record of a Court of Justice or of a register of births, &c., kept by a public servant.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 7 years and fine.	Ditto.
467	Forgery of a valuable security, will or authority to make or transfer any public security, or to receive any money, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 10 years and fine.	Ditto.
	When the valuable security is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Ditto -	Ditto - - -	Ditto.
468	Forgery for the purpose of cheating -	Shall not arrest without warrant.	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
469	Forgery for the purpose of harming the reputation of any person, or knowing that it is likely to be used for that purpose.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 3 years and fine.	Ditto.
471	Using as genuine a forged document which is known to be forged.	Ditto -	Ditto -	Ditto -	Punishment for forgery - -	Ditto.
	When the forged document is a promissory note of the Government of India.	May arrest without warrant.	Ditto -	Not bailable	Ditto - - -	Ditto.
472	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable under section 467 of the Indian Penal Code; or possessing with like intent any such seal, plate, &c., knowing the same to be counterfeit.	Shall not arrest without warrant.	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*continued.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
473	Making or counterfeiting a seal, plate, &c., with intent to commit a forgery punishable otherwise than under section 467 of the Indian Penal Code, or possessing with like intent any such seal, &c.	Shall not arrest without warrant.	Warrant -	Not bailable.	Imprisonment of either description for 7 years and fine.	High Court.
474	Having possession of a document, knowing it to be forged, with intent to use it as genuine.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
	If the document is a valuable security or will -	Ditto -	Ditto -	Ditto -	Transportation for life, or as above -	Ditto.
475	Counterfeiting a device or mark used for authenticating documents described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Ditto - - -	Ditto.
476	Counterfeiting a device or mark used for authenticating documents other than those described in section 467 of the Indian Penal Code, or possessing counterfeit marked material.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
477	Fraudulently destroying or defacing, or attempting to destroy or deface, or secreting, a will, &c.	Ditto -	Ditto -	Ditto -	Transportation for life, or imprisonment of either description for 7 years and fine.	Ditto.

CHAPTER XVIII.—OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS—*concluded.*

Of Trade and Property-Marks.

482	Using a false trade or property-mark with intent to deceive or injure any person.	Shall not arrest without warrant.	Warrant	Bailable	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
483	Counterfeiting a trade or property-mark used by another, with intent to cause damage or injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto.
484	Counterfeiting a property-mark used by a public servant, or any mark used by him to denote the manufacture, quality, &c., of any property.	Ditto	Summons	Ditto	Imprisonment of either description for 3 years and fine.	High Court or Magistrate.
485	Fraudulently making or having possession of any die, plate, or other instrument for counterfeiting any public or private property or trade-mark.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	Ditto.
486	Knowingly selling goods marked with a counterfeit property or trade-mark.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
487	Fraudulently making a false mark upon any package or receptacle containing goods, with intent to cause it to be believed that it contains goods which it does not contain, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years, or fine, or both.	High Court or Magistrate.
488	Making use of any such false mark	Ditto	Ditto	Ditto	Ditto	Ditto.
489	Removing, destroying, or defacing, any property-mark with intent to cause injury.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.

CHAPTER XIX.—OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE.

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
490	Being bound by contract to render personal service during a voyage or journey, or to convey or guard any property or person, and voluntarily omitting to do so.	Shall not arrest without warrant.	Summons -	Bailable -	Imprisonment of either description for 1 month, or fine of 100 rupees, or both.	Magistrate.
491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 3 months, or fine of 200 rupees, or both.	Ditto.
492	Being bound by a contract to render personal service for a certain period at a distant place to which the employee is conveyed at the expense of the employer, and there voluntarily deserting the service or refusing to perform the duty.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 1 month, or fine of double the expense incurred, or both.	Ditto.

CHAPTER XX.—OF OFFENCES RELATING TO MARRIAGE.

493	A man by deceit causing a woman not lawfully married to him to believe that she is lawfully married to him, and to cohabit with him in that belief.	Shall not arrest without warrant.	Warrant -	Not bailable	Imprisonment of either description for 10 years and fine.	High Court.

494	Marrying again during the life-time of a husband or wife.	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 7 years and fine.	Ditto.
495	Same offence with concealment of the former marriage from the person with whom subsequent marriage is contracted.	Ditto -	Ditto -	Not bailable	Imprisonment of either description for 10 years and fine.	Ditto.
496	A person with fraudulent intention going through the ceremony of being married, knowing that he is not thereby lawfully married.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 7 years and fine.	Ditto.
497	Adultery - - - -	Ditto -	Ditto -	Bailable -	Imprisonment of either description for 5 years, or fine, or both.	Ditto.
498	Enticing or taking away or detaining with a criminal intent a married woman.	Ditto -	Ditto -	Ditto -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXI.—OF DEFAMATION.

500	Defamation - - - -	Shall not arrest without warrant.	Warrant -	Bailable -	Simple imprisonment for 2 years, or fine, or both.	High Court or Magistrate.
501	Printing or engraving matter knowing it to be defamatory.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.
502	Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter.	Ditto -	Ditto -	Ditto -	Ditto - - - -	Ditto.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE.

504	Insult intended to provoke a breach of the peace.	Shall not arrest without warrant.	Warrant -	Bailable -	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.

CHAPTER XXII.—OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE—*concluded.*

1 Section.	2 Offence.	3 Whether the Police may arrest without warrant or not.	4 Whether a warrant or a summons shall ordinarily issue in the first instance.	5 Whether bailable or not.	6 Punishment under the Indian Penal Code.	7 By what Court triable.
505	False statement, rumours, &c., circulated with intent to cause mutiny or offences against the public peace.	Shall not arrest without warrant.	Warrant	Not bailable	Imprisonment of either description for 2 years, or fine, or both.	Magistrate.
506	Criminal intimidation	Ditto	Ditto	Bailable	Ditto	Ditto.
	If threat be to cause death or grievous hurt, &c.	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, or fine, or both.	High Court or Magistrate.
507	Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes.	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, in addition to the punishment under above section.	Ditto.
508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Ditto	Ditto	Ditto	Imprisonment of either description for 1 year, or fine, or both.	Magistrate.
509	Uttering any word or making any gesture intended to insult the modesty of a woman.	Ditto	Ditto	Ditto	Simple imprisonment for 1 year, or fine, or both.	Ditto.
510	Appearing in a public place, &c., in a state of intoxication, and causing annoyance to any person.	Ditto	Ditto	Ditto	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Ditto.

CHAPTER XXIII.—OF ATTEMPTS TO COMMIT OFFENCES.

511	Attempting to commit offences punishable with transportation or imprisonment, and in such attempt doing any act towards the commission of the offence.	According as the offence is one in respect of which the Police may arrest without warrant or not.	According as the offence is one in respect of which a summons or warrant shall ordinarily issue.	According as the offence contemplated by the offender is bailable or not.	Transportation or imprisonment not exceeding half of the longest term, and of the description, provided for the offence, or fine, or both.	By the Court by which the offence attempted is triable.

OFFENCES AGAINST OTHER LAWS.

If punishable with death, transportation, or imprisonment for seven years or upwards.	May arrest without warrant.	Warrant -	Not bailable	.....	High Court.
If punishable with imprisonment for three years and upwards but less than seven.	Ditto -	Ditto -	Ditto -	.....	High Court or Magistrate.
If punishable with imprisonment for less than three years.	Shall not arrest without warrant.	Summons -	Bailable -	.....	Magistrate.
If punishable with fine only - -	Ditto -	Ditto -	Ditto -	.....	Ditto.

SCHEDULE III.

FORMS OF SUMMONS, WARRANTS, BONDS AND RECOGNIZANCES.

A.

FORM OF SUMMONS (*section* 37).

To *A. B.*, of

Whereas your attendance is necessary to answer to a complaint of (*state shortly the offence complained of*) : You are hereby required to appear in person or by authorized agent, as the case may be, before the [Magistrate] of on the day of . Herein fail not.

(*Signature and Seal.*)

Dated the day of

B.

FORM OF WARRANT (*section* 46).

To (*name and designation of the person or persons who are to execute the warrant*).

Whereas of is accused of the offence of (*state the offence*) : You are hereby directed to apprehend the said and produce him before me. Herein fail not.

(*Signature and Seal.*)

[*This warrant may be endorsed as follows* :—]

If the said shall give bail, himself in the sum of , with one surety in the sum of (*or* two sureties each in the sum of), to appear before me on the day of , he may be released.

(*Signature.*)

Dated

C.

FORM OF WARRANT OF COMMITMENT FOR INTERMEDIATE CUSTODY (*section* 106).

To , the officer in charge of the Jail.

Whereas of is charged with (*state the offence in respect of which the prisoner is charged*), and has been committed to take his trial before the Court of at

You are hereby required to receive the said into your custody and to produce him before the said Court when so required.

(*Signature.*)

(*Office and powers.*)

Dated

D.

FORM OF WARRANT OF COMMITMENT (*section* 106).

To , the officer in charge of the Jail

Whereas of was convicted before me (*name and official designation*) of the offence of (*mention the offence, quoting Act and section*), and was sentenced to (*state the punishment fully and distinctly, mentioning its nature and extent*) : You are hereby required to receive the said into your custody in the said jail, together with this warrant, and there carry the aforesaid sentence into execution according to law.

(*Signature.*)

Dated the day of

E.

FORM OF BOND TO KEEP THE PEACE (*section* 218).

Whereas I, , inhabitant of , have been called upon to enter into a bond to keep the peace for the term of , I hereby bind myself not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term ; and in case of my making default therein, I bind myself to forfeit to Her Majesty the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the above-said , that he shall not commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term ; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty the sum of rupees.

(*Signature.*)

Dated

F.

FORM OF RECOGNIZANCE TO PROSECUTE OR GIVE EVIDENCE (*section* 159).

I, , of , do hereby bind myself to appear at , in the Court of , at o'clock on the day of next, and then and there to prosecute (*or, as the case may be*, to prosecute and give evidence, *or* to give evidence) in the matter of a charge of against one *A. B.*, and to attend at the said Court from day to day, or as I may be otherwise directed by the presiding officer ; and in case of my making default herein, I bind myself to forfeit to Her Majesty the sum of rupees.

(*Signature.*)

Dated

G.

FORM OF BOND FOR GOOD BEHAVIOUR (*section* 220).

Whereas I, , inhabitant of , have been called to enter into a bond to be of good behaviour to Her Majesty the Queen and to all her subjects, for the term of , I hereby bind myself to be of good behaviour to Her Majesty and to all her subjects during the said term, and in case of my making default therein, I bind myself to forfeit to Her Majesty the sum of rupees.

(*Signature.*)

Dated

FORM OF SECURITY TO BE SUBJOINED TO THE BOND OF THE PRINCIPAL.

I hereby declare myself surety for the above-said , that he shall be of good behaviour to Her Majesty and to all her subjects during the said term ; and in case of his making default therein, I hereby bind myself to forfeit to Her Majesty the sum of rupees.

(*Signature.*)

Dated

CHARGES.

(*See section* 188).

(I.)—CHARGES WITH ONE HEAD.

(a.) I [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows :—

(b.) That you, on or about the day
On Penal Code, section 121. of , at , waged war against the Queen, and thereby committed an offence punishable under section 121 of the Indian Penal Code, and within the cognizance of the High Court.

(c.) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature and Seal of the Magistrate.*]

[*To be substituted for* (b)].

(2.) That you, on or about the day of ,
On section 124. at , with the intention of inducing the Honorable *A. B.*, Member of the Council of the Governor General of India, to refrain from exercising a lawful power as such Member, assaulted such Member, and thereby committed an offence punishable under section 124 of the Indian Penal Code, and within the cognizance of the High Court.

(3). That you, being a public servant in the
On section 161. Department, directly accepted from [*state the name*] for another party [*state the name*] a gratification, other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Indian Penal Code, and within the cognizance of the High Court.

(4.) That you, on or about the
day of
On section 304. at , committed culpable homicide not amounting to murder, causing the death of , and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

(5.) That you, on or about the day of
On section 306. at , abetted the commission of suicide by *A. B.*, a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Indian Penal Code, and within the cognizance of the High Court.

(6.) That you, on or about the
day of , at
On section 323. , voluntarily caused grievous hurt to , and thereby committed an offence punishable under section 323 of the Indian Penal Code, and within the cognizance of the High Court.

(7.) That you, on or about the day of
at , com-
On section 392. mitted robbery, an offence punishable under section 392 of the Indian Penal Code, and within the cognizance of the High Court.

(8.) That you, on or about the day
of , at ,
On section 395. committed dacoity, an offence punishable under section 395 of the Indian Penal Code, and within the cognizance of the High Court.

(9.) That you, on or about the day
of at
On section 166. did (*or* omitted to do, *as the case may be*) , such conduct being contrary to the provisions of Act , section and was known by you to be prejudicial to , and thereby committed an offence punishable under section 166 of the Indian Penal Code, and within the cognizance of the High Court.

(10.) That you, on or about the
day of
On section 193. at , in the course of the trial of before , stated in evidence that " " which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

[*In cases tried by Magistrates, substitute* " within my cognizance" *for* " within the cognizance of the High Court." *In* (*d*), *omit* " by the said Court."]

(II.)—CHARGES WITH TWO OR MORE HEADS.

(a.) I, [*name and office of Magistrate, &c.*], hereby charge you, [*name of accused person*], as follows :—

(b.) *First.*—That you, on or about the day
On Penal Code, sections 241 and 242. of , at , knowing a coin to be counterfeit, delivered the same to another person, by name *A. B.*, as genuine, and thereby committed an offence punishable under section 241 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , knowing a coin to be counterfeit, attempted to induce another person, by name *A. B.*, to receive it as genuine, and thereby committed an offence punishable under section 242 of the Indian Penal Code, and within the cognizance of the High Court.

(c.) And I hereby direct that you be tried by the said Court on the said charge.

[*Signature and Seal of the Magistrate.*]

For (*b*). *First.*—That you, on or about the
On sections 302 and 304. day of , at , committed murder by causing the death of , and thereby committed an offence punishable under section 302 of the Indian Penal Code, and within the cognizance of the High Court.

Secondly.—That you, on or about the day of , at , by causing the death of , committed culpable homicide, and thereby committed an offence punishable under section 304 of the Indian Penal Code, and within the cognizance of the High Court.

For (*b*). *First.*—That you, on or about the day of , at , committed theft, and thereby committed an offence punishable under section 379 of the Indian Penal Code, and within the cognizance of the High Court.

On sections 379 and 382.

Secondly.—That you, on or about the day of , at , committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Thirdly.—That you, on or about the day of , at , committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

Fourthly.—That you, on or about the day of , at , committed theft, having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Indian Penal Code, and within the cognizance of the High Court.

For (*b*). That you, on or about the day of , at , in the course of the inquiry into before , stated in evidence that " ," and that you, on or about the day of , at , in the course of the trial of before , stated in evidence that " ," one of which statements you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Indian Penal Code, and within the cognizance of the High Court.

Alternative charges on section 193.

In trials before Magistrates, substitute "within my cognizance," *for* "within the cognizance of the High Court;" *and omit* "by the said Court."

WHITLEY STOKES,

Secy. to the Govt. of India.

The Calcutta Gazette.

WEDNESDAY, MARCH 1, 1876.

PART VI.

Bills of the Legislative Council of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 22nd February 1876, and was referred to a Select Committee with instructions to make their report thereon in one week :—

No. 3 OF 1876.

A Bill to extend the Criminal Tribes' Act, 1871, to the Lower Provinces of Bengal.

Preamble.

WHEREAS it is expedient to extend Act No. XXVII of 1871 (*for the Registration of Criminal Tribes and Eunuchs*) to the Lower Provinces of Bengal; It is hereby enacted as follows :—

Extension of section 1, Act XXVII of 1871, to Lower Provinces of Bengal.

1. Section one of the said Act shall be read as if, after the words "Lieutenant-Governors of," the following word were inserted (namely) :—"Bengal."

STATEMENT OF OBJECTS AND REASONS.

For the last four years the Criminal Tribes' Act has been in force in the North-Western Provinces, the Punjab, and Oudh; and the result has been a satisfactory diminution in the number of the offences against which the provisions of that Act are directed. The object of the present Bill is to extend those provisions to the Lower Provinces of Bengal, in parts of which there is reason to fear that there are, if not tribes, at least gangs and classes of persons addicted to the systematic commission of non-bailable offences."

CALCUTTA, *The 10th February* 1876. } R. TEMPLE.

WHITLEY STOKES,
Secy. to the Govt. of India.

The Calcutta Gazette.

WEDNESDAY, MARCH 22, 1876.

PART VI.

Bills of the Legislative Council of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th March 1876, and was referred to a Select Committee with instructions to make their report thereon in a week:—

No. 4 of 1876.

A Bill to provide for the management of the Public Museum at Calcutta.

Preamble.

WHEREAS, by Act No. XVII of 1866, reciting that it was expedient to provide for the establishment of a Public Museum at Calcutta to be called the Indian Museum, it was enacted that the Governor General in Council should cause to be erected at the expense of the Government of India a suitable building in Calcutta to be devoted in part to collections illustrative of Indian Archæology and of the several branches of Natural History, in part to the preservation and exhibition of other objects of interest, whether historical, physical or economical, in part to the records and offices of the Geological Survey of India, and in part to the fit accommodation of the Asiatic Society of Bengal and to the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that the Government of India should keep the said building in repair and pay and defray the salaries, allowances and pensions of the officers and servants, and all other expenses connected with the said Museum; and by the Act now in recital certain officials and other persons therein mentioned or referred to, to the number of thirteen, and their successors were constituted a Body Corporate by the name of the Trustees of the Indian Museum, and the said Trustees were empowered to receive bequests, donations and subscriptions, and to deal with the same in the manner therein mentioned for the purposes of their trusts therein mentioned; and it was also enacted that the said Trustees should have the exclusive possession, occupation and control, for the purposes of such trusts, of the said building, other than those portions thereof which upon its completion should be set apart by the said Trustees for the records and offices of the said Geological Survey and for the accommodation of the said Asiatic Society and the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that all officers and servants, salaried or otherwise, employed in the care or management of the trust property, should be appointed, and might be removed or suspended, by the said Trustees, subject to such regulations and conditions as the said Trustees should think proper; and it was also enacted that the Council of the said Asiatic Society should cause the collections belonging to such Society and illustrative of Indian Archæology and the several branches of Natural History and all additions that might be made thereto, to be removed to and deposited in the said building at the expense of the Government of India as soon as the same should be completed as far to be in a condition to receive the said collections, and that an inventory of the articles in such collections should be made by the said Society, one copy whereof was to be signed by the said Trustees and kept by the said Society, and another copy was to be signed by the said Society and kept by the said Trustees, and that the said Society should continue to have the same exclusive property in and control over their said library, manuscripts, maps, coins, busts, pictures and engravings which they then possessed, and that the Council of the said Society should have the exclusive

possession, occupation and control, for the purposes of the said Society, of those portions of the said building which should be set apart for the accommodation of the said Society and the reception of their Library and other property thereinbefore mentioned ;

And whereas the Government of India has caused the said building to be erected, and the Council of the said Society has caused the said collections belonging to the same Society to be removed to and deposited in the said building at the expense of the Government of India ; and an inventory of the articles in such collections has been made by the said Society, one copy whereof has been signed by the said Trustees and delivered to the said Society, and another copy has been signed by the Council of the said Society and delivered to the said Trustees ;

And whereas the said Trustees have, in pursuance of the said Act, set apart certain portions of the said building for the said records and offices of the Geological Survey of India ;

And whereas, in consideration of a sum of one hundred and fifty thousand rupees paid to them by the Government of India, the Council of the said Society has relinquished the exclusive possession, occupation and control secured to them by the said Act of the portions of the said building which, under the said Act, were to be set apart for the accommodation of the said Society and the reception of their said Library and other property ;

And whereas it is expedient to increase the number of Trustees constituting the said Body Corporate and to amend the law relating to the appointment and salaries of the said officers ;

And whereas under the circumstances aforesaid it is expedient to repeal the said Act, and to re-enact it with the modifications hereinafter appearing ; It is hereby enacted as follows :—

Preliminary.

Short title. 1. This Act may be called "The Indian Museum Act, 1876."

Repeal of Act No. XVII of 1866. 2. Act No. XVII of 1866 (*to provide for the establishment of a Public Museum at Calcutta*) shall be repealed. But all persons nominated under the said Act as Trustees of the Indian Museum, and all officers and servants appointed under the same Act, and now holding office shall be deemed to have been respectively nominated and appointed under this Act.

Incorporation of the Trustees.

Trustees of the Indian Museum incorporated. 3. The Chief Justice of the High Court of Judicature at Fort William in Bengal,

the Bishop of Calcutta,

the Vice-Chancellor of the University of Calcutta,

the Secretary to the Government of India in such Department as the Governor General in Council from time to time directs in this behalf,

the Accountant General,

five other persons to be nominated by the Governor General of India in Council,

the President of the Asiatic Society of Bengal and four other Members of the said Society for the time being, to be nominated by the Council of the said Society,

the Superintendent of the Geological Survey of India,

and their successors, appointed as hereinafter directed and subject to the provisions hereinafter contained, shall be and are hereby constituted a Body Corporate by the name of the "Trustees of the Indian Museum," and shall have a common seal, and by such name shall have perpetual succession ; and all the powers of the said Corporation may be exercised so long and so often as there shall exist seven Members thereof.

Ex-officio Members. 4. The persons for the time being holding the offices respectively mentioned in section three shall be ex-officio Members of the said Body Corporate, and shall cease to be such Members respectively upon ceasing to hold the said offices respectively.

Provision in case of two offices being held by one person. In the event of any two of the said offices being held by the same person, the Governor-General in Council may from time to time nominate such other person as he thinks fit to be a Trustee under this Act so long as the said two offices are held by one person :

Provided that whenever the said Chief Justice, Bishop, Vice-Chancellor, Secretary to the Government of India, Accountant General, or Superintendent of the Geological Survey of India is also the President of the said Society, the Council of the said Society may nominate any other person being a Member of the said Society to be a Trustee under this Act so long as such Presidency is held by the said Chief Justice, Bishop, Vice-Chancellor, Secretary, Accountant General, or Superintendent.

Power to appoint new Trustees. 5. If any of the said Trustees to be nominated by the Governor-General in Council or by the Council of the said Society, or any Trustee appointed as herein provided, dies or is absent from India for more than twelve consecutive months, or desires to be discharged, or refuses or becomes incapable to act, then and in every such case the Governor-General in Council or the Council of the said Society, as the case may be, may appoint a new Trustee in the place of the Trustee so dying or being absent from India or desiring to be discharged or refusing or becoming incapable to act as aforesaid,

and every Trustee so appointed shall thereupon become and be a Member of the said Body Corporate as fully and effectually as if he had been hereby constituted a Trustee.

Powers of the Trustees.

Trustees empowered to receive bequests, donations and subscriptions. 6. It shall be lawful for the said Trustees (*a*) to receive bequests, donations and subscriptions of land, buildings, money and any such objects of interest as aforesaid, and (*b*) to hold the same and to lay out such money for the maintenance, improvement and enlargement of the collections deposited in, presented to, or purchased for, the said Indian Museum, and otherwise for the purposes of the same Museum ;

and all such collections shall become the property of the said Trustees for the purposes of their trusts herein mentioned ;

and the said Trustees shall have the exclusive possession, occupation and control, for the purposes of such trusts, of the whole of the said building, other than those portions thereof which have been

set apart by the said Trustees for the records and offices of the Geological Survey of India.

Power to Trustees to make bye-laws.

7. The said Trustees may from time to time make bye-laws consistent with this Act—

(*a*) for the management of the said Museum,

(*b*) for the summoning, holding and adjournment of General and Special Meetings of the said Trustees,

(*c*) for securing their attendance at such meetings,

(*d*) for the provision and keeping of minute-books and account-books,

(*e*) for the compiling of catalogues, and

(*f*) for all other purposes necessary for the execution of their trust.

Power to Trustees to appoint officers and servants.

8. Subject to such regulations and conditions as the Trustees think fit, they shall appoint, and may remove or suspend, all officers and servants, salaried or otherwise, employed in the care or management of the trust property: provided—

(*a*) that no officer be appointed without the approval of the Governor-General in Council if such officer be, at the date of his appointment, in India, or without the approval of the Secretary of State for India in Council if such officer be not then in India;

(*b*) that no new office be created and no salaries of officers shall be altered without the previous sanction of the Governor-General in Council.

Trustees may exchange or sell duplicates.

9. The said Trustees may from time to time order any duplicates of printed books, medals, coins, specimens of Natural History or other curiosities deposited in the Indian Museum to be exchanged for manuscripts, books, or other objects of interest, or direct any such duplicates to be sold and the money to arise from such sale to be laid out in the purchase of manuscripts, books, maps, medals, coins, specimens of Natural History or other curiosities that may be proper for the said Museum.

Quorum.

10. At all meetings of the said Trustees five shall be a quorum for the transaction of business and for the exercise of any of the powers conferred upon them by this Act.

Duties of the Trustees.

Trustees shall furnish annual reports and accounts.

11. The said Trustees shall furnish to the Government of India, on or before the first day of December in each year, a report of their several proceedings for the past twelve months, and further shall furnish on or before the same day in each year to such Auditor as the Governor-General in Council appoints in this behalf accounts of all moneys expended by the Trustees during the past twelve months, supported by the necessary vouchers.

The said Trustees shall cause such report and accounts to be annually published for general information.

Collections of Asiatic Society to be kept distinguished in the Museum.

12. The said Trustees shall cause every article in the said collections belonging to the Asiatic Society, and all additions that may hereafter be made thereto otherwise than by purchase under section six, to be marked and numbered, and (subject to the provisions contained in sections nine and fifteen) to be kept and preserved in the said Indian Museum with such marks and numbers; and an inventory of such additions shall be made by the said Society, one copy whereof shall be signed by the said Trustees, and delivered to the said Society, and another copy shall be signed by the Council of the said Society, and delivered to the said Trustees, and shall be kept by them along with the inventory already delivered to the said Trustees as aforesaid.

Articles received in exchange and moneys paid on sale to be held on trust.

13. All objects taken in exchange under section nine for, and all moneys payable on sale under the same section of, any of such articles, shall be held on trust and subject to powers and declarations corresponding as nearly as may be with the trusts, powers and declarations by this Act limited and declared concerning the same articles.

Miscellaneous.

Officers under Act to be public servants.

14. All officers and servants appointed under this Act shall be considered public servants within the meaning of the Indian Penal Code; and so far as regards their salaries, allowances and pensions and their leave of absence from duty, they shall be subject to the rules for the time being applicable to uncovenanted civil servants of the Government of India.

In case of determination of trust, Asiatic Society may reclaim their collections.

15. In the event of the trust hereby constituted being determined, all collections then in the said Indian Museum, other than those next hereinafter mentioned, shall become the property of the Government of India, and the collections and additions mentioned in section twelve shall become the property of the said Society or their assigns.

STATEMENT OF OBJECTS AND REASONS.

Pursuant to Act XVII of 1866, the Government has erected a suitable building for the Indian Museum, and the collections of the Asiatic Society have been removed to that building. But the Council of that Society has relinquished the exclusive possession of the portions of the building which, under Act XVII, were to be set apart for their accommodation. It has also been found desirable to increase the number of Trustees fixed by that Act, and to amend the law relating to the appointment and salaries of their officers.

The present Bill, accordingly, repeals Act XVII and re-enacts it with certain changes, of which the following are the chief:—

(*a*) the number of Trustees is raised from thirteen to sixteen:

(*b*) no officer will be appointed without the approval of the Governor-General in Council or of the Secretary of State in Council:

(*c*) no new office will be created and no salary altered without the previous sanction of Government;

(*d*) so far as regards salaries, pensions and leave, the officers of the Museum will be subject to the rules applicable to the Uncovenanted Civil Service;

(*e*) the provisions of Act XVII securing to the Asiatic Society possession of certain parts of the Museum building have been omitted.

CALCUTTA,
26th *February* 1876.

E. C. BAYLEY.

WHITLEY STOKES,
Secy. to the Govt. of India.

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 14th March 1876 :—

We, the undersigned Members of the Select Committee to which the Bill for constituting and regulating the Banks of Bengal, Madras and Bombay was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

From Financial Department, No. 2795, dated 1st December 1875.
From ditto, No. 54, dated 6th January 1876.
From Secretary and Treasurer, New Bank of Bombay, Limited, No. 180, dated 12th January 1876, and enclosure.
From Secretary and Treasurer, Bank of Madras, dated 24th January 1876.
From Secretary to Government of Bengal, No. 300, dated 7th February 1876, and enclosure.
Remarks by J. W. Lowe, Esq., Barrister-at-law.
From Financial Department, No. 918, dated 12th February 1876.
From Secretary and Treasurer, Bank of Bombay, Limited, No. 229, dated 17th February 1876, and enclosures.
From Government of Madras, No. 314, dated 14th February 1876, and enclosure.

Preamble.

2. Since the Bill was introduced, the directors of the Bank of Madras have bought 62½ of their shares with a view of cancelling them, and thus reducing the capital of that Bank to five millions of rupees. We have made the changes in the preamble and the body of the Bill which this transaction rendered necessary.

Preliminary.

3. We have substituted the 1st May for the 1st March, 1876, as the day on which the proposed Act is to come into force.

Constitution.

4. To preclude doubts which have been felt but which we do not ourselves feel, we have expressly declared that the proprietors of the Banks shall not be liable for the corporate debts, and that the shareholders shall be so liable only to the extent of their shares not fully paid up.

5. We have transcribed from the Indian Companies Act, X of 1866, section 42, a clause which relates to corporate contracts and dispenses with the necessity of a seal in ordinary cases. Similar provisions are contained in several English statutes.

Business.

6. We have authorized the Banks to advance on the security of stock of the United Kingdom. We have also permitted them to undertake, and charge for, the care of valuable articles such as plate, jewels and title-deeds. In the clause limiting unsecured loans to individuals, we have substituted for Rs. 6,00,000 such sum as may from time to time be prescribed by the bye-laws. This will enable the maximum for each Bank to be adapted, with the previous sanction of the Governor General in Council, to the varying circumstances of the three Presidencies. We have forbidden the Banks not merely to discount, but to buy, or advance **and lend,** or open credits on negotiable paper payable where it is presented for the purpose of the proposed transaction, which does not carry on it the several responsibilities of at least two persons or firms unconnected in general partnership, or which has a longer period to run than three months.

7. We have extended the power to acquire business-premises so as to enable the directors to provide residences for their Agents.

8. We have made the restrictive provision as to the Agency of the Bank of Bengal now established at Bombay applicable, *mutatis mutandis*, to agencies of the Bank of Bombay which may be established at Calcutta and Madras, and to agencies of the Bank of Madras which may be established at Calcutta and Bombay.

9. We have struck out the power to purchase the business of other Banks.

Capital.

10. We think that the shareholders required to be present at a meeting authorizing the reduction or the increase of capital need not be more than one-third of the total number.

Transmission of Shares.

11. We have struck out the clause (30) which exempts the Banks from recognizing probates and letters of administration granted by any Court other than a High Court. There is no reason why in this respect bank-shares should be treated as different from other assets. We have also withdrawn the power of the directors to say that of joint proprietors the first named in the register shall not be deemed the sole proprietor.

Directors.

12. We think that a director should not be disqualified by being Manager, &c., of any other Bank, unless where such Bank is a joint-stock Bank. It is undesirable, especially in Madras, to exclude members of mercantile firms which carry on banking business.

13. We have provided that the office of director shall be vacated in case of his resignation, and we have struck out the power to supply a vacancy in case of a director's temporary absence exceeding one month.

14. We have inserted the usual clause indemnifying directors against losses incurred in the discharge of their duties, except such as happen from their wilful act, and relieving them from responsibility for the other directors, &c., of the Bank.

Officers of the Bank.

15. We have empowered the directors not merely to fix the salaries of their officers and clerks, but to grant them pensions and other emoluments.

16. We have provided for the delegation to the Agents, &c., of the power to endorse and transfer securities, &c., held by the Bank.

17. We have altered the prohibition to engage in business other than the business of the Bank so as to allow the Bank's Agents, with the previous sanction of the Board, to act for insurance offices, &c.

Reserve Fund.

18. We have omitted the words expressly authorizing the directors to maintain and repair the Bank buildings out of the reserve fund. Such repairs are now effected, at all events in the case of the Bank of Bengal, out of the income of the Bank, and we think that the practice should continue.

Auditors.

19. We have struck out the clause prohibiting the election as auditor of any person interested otherwise than as a proprietor, shareholder or depositor in any transaction of the Bank. The clause seemed unnecessarily stringent, and might have caused inconvenience in Madras, where, we are informed, comparatively few persons fit to audit can be found.

Meetings.

20. As no Native newspapers are published daily in Madras, we have omitted the word 'daily' in the clause requiring advertisements in vernacular newspapers.

21. We have provided that notices of special meetings for the purpose of increasing or reducing capital shall be served on every shareholder.

22. We have raised from seven to twelve the maximum number of votes to which a shareholder shall be entitled; but we think that when a shareholder's interest exceeds Rs. 50,000, nothing less than shares amounting to Rs. 25,000 should give him an additional vote.

23. We think that general powers-of-attorney should be deemed to be proxies for the purpose of voting at any Bank-meeting.

Notices.

24. We have provided that shareholders changing their names or residences, and the husbands of female shareholders marrying, shall not be entitled to receive dividends or to vote until notice of the change or marriage be given to the Bank.

Bye-laws.

25. We have modified the section relating to bye-laws so as to require the directors at once to make rules as to (a) the maximum amount which may be advanced without security to any individual or firm by way of discount or otherwise, (d) the circumstances under which those advances may be made to directors or their relations, partners, &c., and (e) the particulars to be contained in the half-yearly balance-sheet. We have omitted the power to make bye-laws as to the proportion which the reserve fund must bear to the paid-up capital at the time of declaring or paying any dividend. We have also omitted the power to make bye-laws which the Bill as introduced gave the proprietors and shareholders. This, we think, is a power which should be conferred only on the directors.

26. We have made some transpositions and verbal changes, and recommend that the Bill thus altered be passed. But, first, we think that it should be republished in the *Gazette of India*.

27. The publication ordered by the Council has taken place.

6th March 1876.

W. MUIR.
A. HOBHOUSE.
A. J. ARBUTHNOT.
T. C. HOPE.
D. COWIE.
NARENDRA KRISHNA.
J. R. BULLEN SMITH.

I have signed this Report subject to the following reservations :—

I regret the relegation to a bye-law of the pecuniary limit on advances to one individual or firm, which Sir W. Muir informed the Council had been inserted after careful deliberation, and the more so, in that no power is reserved to the Government to compel the modification of any bye-law which it has once sanctioned, and it will probably even be precluded, by the agreement contemplated in section 36 (c), from withdrawing its own balances for a fixed term of years. The case of the old Bank of Bombay, and Sir Charles Jackson's report on it, have shown the wisdom of specific restrictions in the law in anticipation of exceptional occasions, when the vision of even the best men is in danger of being obscured, and immense pressure alone can force measures of prudence in the teeth of popular opinion.

Considering the controversy which the establishment of the branch of the Bank of Bengal has occasioned, I think it would have been only reasonable to have inserted in section 42 an express permission to the Banks of Bombay and Madras to open branches in the other Presidency towns respectively. The argument that it is unnecessary to limit the discretion of the Governor General in Council in the matter is deprived of force by the insertion, for the benefit of the Bank of Bengal, of the clause limiting that discretion in respect of the business which such branches, if established, may transact.

I object to the proprietors and shareholders being deprived of their power of making bye-laws for the direction of the affairs of the Bank. The directors become practically absolute.

T. C. HOPE.

No. II.

THE PRESIDENCY BANKS BILL, 1876.

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A Bill for constituting and regulating the Banks of Bengal, Madras and Bombay.

Preamble.

WHEREAS the Bank of Bengal is now constituted and regulated by Act No. IV of 1862, as amended by Acts No. VI of 1862 and No. XIX of 1870, and its capital consists of twenty-two millions of rupees, in shares of one thousand rupees each;

And whereas the Bank of Madras is now constituted and regulated by Madras Act No. VI of 1866, as amended by Madras Act No. I of 1871, and its capital consists of five millions six hundred and twenty-five thousand rupees, in shares of one thousand rupees each;

And whereas a Bank named the Bank of Bombay was constituted and regulated by Bombay Act No. X of 1863, as amended by Bombay Acts No. XV of 1866 and No. I of 1867; but such Bank has been wound up and the said Bombay Acts are now obsolete and should be expressly repealed;

And whereas on the tenth day of December 1867, a joint-stock Banking Company was registered and incorporated at Bombay, by virtue of the Indian Companies' Act, 1866, under the name of "The New Bank of Bombay, Limited," with a Memorandum of Association and Articles of Association then also registered, and prescribing the constitution and regulations for the management of such Bank;

And whereas the Government of India now holds two thousand two hundred shares in the said Bank of Bengal, and five hundred and sixty-two and a half shares in the said Bank of Madras; and, under the provisions of the said Acts, No. IV of 1862 and Madras Act No. VI of 1866, is bound to appoint, and has power to remove, certain of the directors of the said Banks of Bengal and Madras respectively, and has also power to give a proxy to any person whom the Governor General in Council may appoint, to attend and vote at any meeting of the proprietors of each of the same Banks;

And whereas the Government of India has determined to sell its said shares and to surrender its said powers; and it is expedient to relieve the said Government from the said duty of appointing directors, and to repeal the said enactments and to consolidate such of them as relate to the said Banks of Bengal and Madras respectively with the changes rendered necessary or desirable by such sale, surrender and relief;

And whereas it is expedient to reduce the said capital of the Bank of Bengal by two millions of rupees and to reduce the said capital of the Bank of Madras by six hundred and twenty-five thousand rupees, and to divide the capital so reduced of each of the same Banks into shares of five hundred rupees each;

And whereas it is expedient that the said New Bank of Bombay, Limited, should be reconstituted and regulated, in manner in this Act provided, under the name of the Bank of Bombay;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Presidency Banks Act, 1876."

Commencement.

And it shall come into force on the first day of May 1876.

Repeal of enactments.

2. On and from that day the statute specified in the first part of the schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof, and the Acts specified in the second, third and fourth parts of the same schedule shall be wholly repealed. But all bye-laws and regulations made under any such Act, and then in force, shall, so far as they are consistent with this Act, be deemed to have been made hereunder.

The references made in the Indian Companies' Act, 1866, to the Bank of Bengal, the Bank of Madras and the Bank of Bombay, shall be deemed to be made respectively to the Bank of Bengal, the Bank of Madras and the Bank of Bombay as constituted by this Act.

References in Act X of 1866.

3. In this Act, unless there be something repugnant in the subject or context—

Interpretation-clause.

"The Bank" means the Bank of Bengal, the Bank of Madras, or the Bank of Bombay (as the case may be), as constituted and regulated by this Act:

"Capital" means the capital for the time being of the Bank:

"Shares" means the shares for the time being of the capital, and includes also half shares:

"Capital Stock" means that part of the capital into which wholly paid-up shares have been converted or consolidated, and in the case of the Bank of Bengal and the Bank of Madras includes the present consolidated stock of such Banks respectively:

"Registered" means registered in the books of the Bank:

"Shareholders" means the duly registered holders from time to time of the shares of the Bank:

"Proprietors" means the duly registered holders from time to time of the capital stock of the Bank:

"Directors" means the Directors assembled for the purpose of performing any of their functions under this Act:

"Board" means a meeting of the Directors duly called and constituted, or, as the case may be, the Directors assembled at a Board:

"Auditors" and "Secretary" mean those respectively officers from time to time of the Bank, and "Secretary" includes a Secretary and Treasurer and a Deputy Secretary:

"General Meeting" means the meeting of proprietors or shareholders or both, held annually under section forty-nine; it includes any adjourned holding thereof:

"Special Meeting" means a meeting of proprietors or shareholders or both, held for the transaction of some particular business specified in the notice convening the meeting; it includes any adjourned holding thereof:

"Special Resolution" means a resolution passed at a special meeting:

"Office" means the office or principal office for the time being of the Bank:

"Goods" includes also bullion, wares and merchandize:

"Presidency of Fort St. George" means the territories now under the government of the Governor of Fort St. George in Council:

"Presidency of Bombay" means the territories now under the government of the Governor of Bombay in Council; and

"Presidency of Fort William" means all the territories in British India other than the Presidency of Fort St. George and the Presidency of Bombay.

CHAPTER II.

CONSTITUTION.

4. The several persons who, when this Act comes into force, are respectively the proprietors and shareholders of the said Bank of Bengal, Bank of Madras and New Bank of Bombay, Limited (hereinafter called the present Banks), or who shall, at any time thereafter, by virtue of this or any other Act regulating the Bank, become proprietors or shareholders, shall continue and constitute and be bodies corporate with perpetual succession, under the name,

Proprietors and shareholders of present Banks to form bodies corporate.

in the case of the proprietors and shareholders of the said Bank of Bengal—of "The Bank of Bengal,"

in the case of the proprietors and shareholders of the said Bank of Madras—of "The Bank of Madras,"

and in the case of the shareholders and proprietors of the said New Bank of Bombay, Limited—of "The Bank of Bombay,"

and shall respectively possess and enjoy all the rights, powers and immunities incident by law to a corporation aggregate; subject, nevertheless, to the provisions of this or any other Act for the time being in force regulating the Bank,

with limited liability.

and, in particular, the proprietors of the Bank shall not be liable for its debts and engagements, and the shareholders of the Bank shall be so liable only to the extent of their shares not fully paid up.

The several persons who are then proprietors and shareholders of such of the present Banks of Bengal and Madras, or the executors or administrators of such proprietors and shareholders respectively, shall be entitled to be registered as proprietors and holders of a like quantity of stock and a proportionate number of shares, as is or are then registered in their names respectively, or in the names of the persons whom they represent respectively in the books of such of the said present Banks of Bengal and Madras, two shares in the Bank of Bengal as constituted by this Act being deemed equivalent to one share in the present Bank of Bengal, and two shares in the Bank of Madras as constituted by this Act being deemed equivalent to one share in the present Bank of Madras,

Proprietors and shareholders of present Banks to be proprietors and shareholders of new Banks.

and the several persons who are then shareholders of the said New Bank of Bombay, Limited, or the executors or administrators of such shareholders respectively, shall be registered as holders of a like number of shares of the Bank of Bombay as constituted by this Act as are then registered in their names respectively, or in the names of the persons whom they represent respectively, in the books of the said New Bank of Bombay, Limited; and all such shares upon which the sum of five hundred rupees has then been paid, shall be deemed to have been fully paid up.

5. All the property, moveable and immoveable, and all the securities, claims and demands, and the benefits of all agreements, of or to which the present Banks are or shall be respectively possessed or entitled, or which shall, or but

Property of present Banks to vest respectively in new Banks.

for this Act might be, on the said first day of May 1876, or might at any time thereafter have been, due to, or claimed by, the said Banks respectively shall, by virtue of this Act, become vested in and devolve upon, and may be claimed, made and recovered by,

in the case of the said Bank of Bengal,—the Bank of Bengal as constituted by this Act,

in the case of the said Bank of Madras,—the Bank of Madras as constituted by this Act,

and in the case of the said New Bank of Bombay, Limited,—the Bank of Bombay as constituted by this Act;

and the Bank shall, from and after the said first day of May 1876, be liable and subject to all debts, claims and demands which shall then be due or claimable from, or which, but for this Act, might be then, or might at any time thereafter, have been due or claimable from or made against the said Bank of Bengal, Bank of Madras or New Bank of Bombay, Limited, as the case may be,

Claims against present Banks.

and no suit or legal proceeding then pending by or against the said Bank of Bengal, Bank of Madras or New Bank of Bombay, Limited, shall cease, or abate, or become defective, in consequence of this Act, but may be continued and prosecuted by or against the Bank.

6. The transfer of the assets and liabilities of the said New Bank of Bombay, Limited, to the Bank of Bombay by virtue of this Act, shall operate as a winding up and liquidation of the said New Bank of Bombay, Limited.

New Bank of Bombay, Limited, wound-up.

No shareholder or creditor of the said New Bank of Bombay, Limited, shall take any proceedings for winding-up the same under the Indian Companies Act, 1866, or any Act for the time being in force relating to the winding-up of Companies;

and no person shall make, assert or take any claims, demands or proceedings against the same Bank, or the directors or officers thereof, except so far as may be necessary for enforcing the provisions of this or any other Act for the time being in force regulating the Bank of Bombay.

7. The Bank shall sue and be sued by its corporate name;

Banks to sue and be sued in corporate name.

and shall use such corporate seal as the directors from time to time appoint;

and use corporate seals;

and may as such body corporate acquire and hold, either absolutely or conditionally, for a term or in perpetuity, any property whatsoever, moveable or immoveable, and transfer, assign and convey the same.

and may hold and transfer property.

8. The seal of the Bank shall not be affixed to any instrument except in the presence of at least two directors and of the Secretary and Treasurer, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person who may sign the instrument as a witness.

Seal how used.

Unless so signed as aforesaid, such instrument shall be of no validity.

9. Contracts may be made on behalf of the Bank as follows:—

Contracts how made.

(*a*) any contract, which, if made between private persons, would be by law required to be in writing, and, if made according to English law, to be under seal, may be made on behalf of the Bank in writing under its corporate seal, and such contract may be in the same manner varied or discharged:

(*b*) any contract, which, if made between private persons, would be by law required to be in writing signed by the parties to be charged therewith, may be made on behalf of the Bank by writing signed by any person acting under the express or implied authority of the Bank, and such contract may in the same manner be varied and discharged;

(*c*) any contract, which, if made between private persons, would by law be valid, although made by parol only and not reduced into writing, may be made by parol on behalf of the Bank by any person acting under the express or implied authority of the Bank, and such contract may in the same manner be varied and discharged;

and all contracts made according to the provisions herein contained shall be effectual in law and shall be binding upon the Bank and other parties thereto and their legal representatives.

CHAPTER III.

CAPITAL.

10. The capital of the Bank of Bengal shall consist of twenty millions of rupees in shares of five hundred rupees each, divisible into half shares, with power to increase the same, in manner hereinafter provided, to thirty millions of rupees.

Capital of Bank of Bengal.

The capital of the Bank of Madras shall consist of five millions of rupees, in shares of five hundred rupees each, divisible into half shares, with power to increase the same, in manner hereinafter provided, to twelve millions of rupees.

Capital of Bank of Madras.

The capital of the Bank of Bombay shall consist of ten millions of rupees in shares of five hundred rupees each, divisible into half shares, with power to increase the same, in manner hereinafter provided, to twenty millions of rupees.

Capital of Bank of Bombay.

11. The capital of the said New Bank of Bombay, Limited, already created, shall, on the first day of May 1876, constitute the capital of the Bank of Bombay, subject to be increased as aforesaid.

Capital of New Bank of Bombay, Limited, to be capital of Bank of Bombay.

12. Any shareholder may from time to time surrender his wholly paid-up shares, or any of them, to the directors, and demand and receive from the Bank, in lieu thereof, capital stock to the amount represented by the shares so surrendered,

Surrender of paid-up shares for stock.

and any proprietor may from time to time surrender his stock, or any portion thereof, to the directors, and demand and receive from the Bank in lieu thereof shares to the like amount, or as near thereto as practicable.

Surrender of stock for shares.

13. The proprietors and shareholders of the Bank may from time to time by special resolution and with the previous sanction of the Governor General in Council increase or reduce the capital of the Bank :

Power to increase or reduce capital.

Provided that no such special resolution shall be deemed to have been passed, unless at least one-third in number of the proprietors or shareholders, holding at least one-half of the paid-up capital of the Bank for the time being, be present in person or by proxy, and a majority poll by open voting in favour of the said resolution.

14. When any such special resolution to increase the capital has been passed, the directors may, subject to the provisions of this or any other Act for the time being in force regulating such Bank, and to the special direction (if any) given in reference thereto by the meeting at which such resolution has been passed,

Procedure on resolution to increase capital.

(*a*) make such orders as they think fit for the opening of subscriptions towards such increase of capital by the proprietors and shareholders ;

(*b*) allow to the proprietors and shareholders such period to fill up the subscription as to the directors seems fit ;

(*c*) prescribe the manner in which the proprietors and shareholders shall subscribe and pay into the Bank the proportions of new capital which they may respectively desire to subscribe ; and

(*d*) make such orders as the directors think fit for the disposal and allotment of the amount of new capital that may not be subscribed for and paid up in manner aforesaid :

Provided that the capital shall not exceed, in the case of the Bank of Bengal, thirty millions of rupees, in the case of the Bank of Madras, twelve millions of rupees, and in the case of the Bank of Bombay, twenty millions of rupees.

15. When any such special resolution to reduce the capital has been passed, the directors may (subject as aforesaid) prescribe the manner in which the reduction shall be carried into effect.

Procedure on resolution to reduce capital.

16. Any new capital created under the provisions of section thirteen shall be subject to the provisions of this or any other Act regulating the Bank in force for the time being.

New capital to be subject to provisions of Act.

CHAPTER IV.

FORFEITURE OF STOCK AND SHARES.

17. If any proprietor or shareholder is indebted to the Bank, the Bank may withhold payment of the dividends on the stock or shares of such proprietor or shareholder not being registered as held in trust, or as executor or administrator, and apply them in payment of the debt ;

Powers in regard to proprietors or shareholders indebted to Bank.

and the Bank may refuse to register the transfer of any such stock or shares until payment of such debt ;

and after demand and default of payment, and notice in that behalf given to such proprietor or shareholder, or his constituted agent, or by public advertisement in the local official Gazette, if the debt remain unpaid for the space of three months after such notice, the Bank may advertise in the local official Gazette such stock or shares for sale on a day not less than fifteen days from the publication of such advertisement ;

and may, on such day, sell by public auction, and subject to such conditions, if any, as the Bank thinks fit, such stock or shares, or so much or so many thereof as may be necessary, and apply the proceeds thereof in or towards payment of the said debt, with interest, from the day appointed for the payment of such debt to the time of actual payment, at such rate as may have been agreed upon, or, in the absence of such agreement, at the highest rate current for advances by way of local discounts by the Bank ;

and shall pay over the surplus, if any, to such proprietor or shareholder or to his lawful representative.

CHAPTER V.

CERTIFICATES, TRANSFER AND TRANSMISSION OF SHARES AND STOCK.

18. Every shareholder shall be entitled to a certificate, under the corporate seal of the Bank, and signed by two Directors and the Secretary and Treasurer, specifying the shares held by him, and in the case of shares which are not wholly paid up, the amount paid thereon,

Certificates for shares.

and any holder of more than one half share may, at his option, demand a certificate for each such half share, or one or more certificates for all or any of such half shares, and such certificate or certificates shall be delivered to him accordingly : provided that the number of such certificates shall in no case exceed the number of half shares in respect of which they are so delivered.

Every proprietor of capital stock shall be entitled to a receipt signed by two Directors and the Secretary and Treasurer, and specifying the amount of stock held by him and any such proprietor may, at his option, demand one receipt for the whole of the stock, or separate receipts for any portions of the stock, so held by him, and such receipt or receipts shall be delivered to him accordingly : Provided that no receipt shall be delivered for a portion of stock less than two hundred and fifty rupees.

Receipts for stock.

For every certificate and receipt delivered under this section there shall be paid such fee as may for the time being be prescribed under section sixty-three, clause (*b*) : Provided that no fee shall be payable for certificates or receipts delivered to the persons referred to in section four for shares in or stock of the Bank.

Fees for certificates and receipts.

Every such certificate and receipt shall be *prima facie* evidence of the title of the shareholder or proprietor to the shares or stock therein specified.

Certificates and receipts to be evidence.

19. The stock and shares of every proprietor and shareholder shall be moveable property, capable of being transferred in manner provided by the regulations contained herein, or in any other Act regulating

Stock and shares to be moveable property.

the Bank for the time being in force, and shall not be of the nature of immoveable property; and each share shall be distinguished by its appropriate number.

Form of transfer to be approved by Board.

20. Every transfer of stock or shares may be by endorsement on the certificate or in such other form as the Board from time to time may approve, and shall be presented to the Bank accompanied by such evidence as the Board may require to prove the title of the transferor.

Board may require evidence of transmission.

Every such transfer shall be verified in such manner as the Board require, and the Board may refuse to register any such transfer until the same be so verified, and, in the case of shares not fully paid up, unless the transferee is approved by the Board.

Transferor to remain proprietor till transfer registered.

The transferor shall be deemed to remain the proprietor or holder of the stock or shares transferred until the name of the transferee is registered in respect thereof.

Power to close transfer-books.

21. The directors may from time to time close the register and transfer-books of the Bank for any period or periods not exceeding in the whole thirty days in any twelve consecutive months.

Corporation to consist of registered proprietors or shareholders only.

22. The proprietors and shareholders for the time being, and no other persons, shall be members respectively of the bodies corporate hereby constituted,

Notice of trusts.

and, except for the purpose of excluding the provisions of section seventeen, the Bank shall not be bound or affected by notice of any trust to which any stock or share may be subject in the hands of the proprietor or holder thereof;

Shares vested in several holders.

and when any stock or share is vested in more than one proprietor or holder, such proprietors or shareholders shall, as between themselves and the Bank, be considered as joint owners with benefit of survivorship:

Provided that, as regards voting at meetings, service of notices, and receipt of dividend, the person whose name stands first in the register as one of the proprietors or holders of such stock or shares shall be deemed the sole proprietor or holder thereof;

Transmission on insolvency or marriage.

23. Any person becoming entitled to stock or shares in consequence of the insolvency or bankruptcy of any proprietor or shareholder, or in consequence of the marriage of any female proprietor or shareholder, may be registered as a proprietor or shareholder upon such evidence being produced as the directors may from time to time require.

CHAPTER VI.

DIRECTORS.

Board.

24. The business of the Bank shall be managed by the Board, which shall in the first instance consist of six directors, and may subsequently consist of such number, not less than six, and not more than nine, as may be fixed by a special resolution.

Such directors shall be selected by vote of a general or special meeting.

Quorum.

Three of the directors shall form a quorum for the transaction of business.

Present directors to be continued.

25. The persons who, on the first day of May 1876, are respectively directors of the Bank of Bengal, the Bank of Madras, and the New Bank of Bombay, Limited, shall be respectively directors of the Bank of Bengal, the Bank of Madras, and the Bank of Bombay, as constituted by this Act, subject to removal as hereinafter provided and to the other provisions herein contained.

Two directors to go out by rotation annually.

26. The two directors who have been longest in office shall go out of office at the general meeting.

Any director so retiring shall be eligible for re-election at such meeting, and, if any question arise as to which of the directors who have been the same time in office shall retire, such question shall be decided by the directors by ballot.

Qualification of directors.

27. *Clause 1.*—No person shall be eligible or qualified to serve as a director of a Bank who is not a proprietor or holder in his own right of uncncumbered stock or shares of such Bank, to the amount of ten thousand rupees at the least.

Disqualification of directors.

Clause 2.—No person shall be eligible or qualified to serve as a director—

If he holds the office of director, provisional director, promotery, agent or manager of any other joint-stock Bank established, or having a branch or agency, in British India, or advertised as about to be established, or to have a branch or agency, in British India; or

If he is a salaried officer of Government not specially authorized by the Governor General in Council to serve as a director;

And the office of director shall be vacated—

If the person holding it resigns his office or dies;

If he accepts or holds any other office of profit under the Bank;

If he becomes insolvent or bankrupt, or compounds with his creditors;

If he is declared lunatic, or becomes of unsound mind;

If he is absent from the Board for more than three consecutive months;

If he ceases to hold in his own right the amount or number of uncncumbered stock or shares required to qualify him for the office.

Co-partners of same firm not to serve as directors at same time.

Clause 3.—No two persons who are, partners of the same mercantile firm, or one of whom is the general agent of, or holds a power of procuration from, the other, or from a mercantile firm of which the other is a partner, shall be eligible or qualified to serve as directors at the same time.

Power to remove directors.

Clause 4.—The proprietors or shareholders may, by a special resolution passed by the votes of proprietors or shareholders holding in the aggregate not less than one-half of the capital, remove any director before the expiration of his period of office, and appoint, in his stead, a qualified person, who shall in all respects stand in his place.

28. At the first meeting of the directors in every year, they shall choose a president and vice-president from among themselves, and whenever the office of president or vice-president becomes vacant, they shall, at their next meeting, choose a successor for the remainder of the current year.

Directors to choose president and vice-president.

The president, or in his absence the vice-president, shall be chairman at all meetings whether of directors or of proprietors or shareholders, or of proprietors and shareholders, and shall have an additional or casting vote in all cases of an equal division of votes. Provided that if both the president and vice-president be absent at any meeting the directors present shall elect a chairman for such meeting from among themselves, and such chairman shall, in case of an equal division of votes, have an additional or casting vote.

Chairman.

Casting vote.

29. The Board shall have power at any time, and from time to time, to supply any vacancies in their number arising from the death, resignation, or disqualification under section twenty-seven, of any director.

Vacancies among directors how filled up.

Any director so appointed shall, for the purposes of section twenty-six, be considered to have held office from the date on which the director in whose place he is appointed was elected, or (where such director was appointed under this section) from the date on which his mediate or immediate predecessor was elected.

30. All acts done by any person acting in good faith as a director shall be as valid as if he was a director, notwithstanding it be afterwards discovered that there was some defect in his appointment or qualification.

Acts of directors valid notwithstanding subsequent discovery of disqualification.

31. Every director shall be indemnified by the Bank against all losses and expenses incurred by him in or about the discharge of his duties, except such as happen from his own wilful act or default.

Indemnity of directors.

No director shall be responsible for any other director or for any officer, clerk or servant of the Bank, or for any loss or expense happening to the Bank by the insufficiency or deficiency of value of, or title to, any property or security acquired or taken on behalf of the Bank, or by the insolvency, bankruptcy or wrongful act of any customer or debtor of the Bank, or by anything done in the execution of the duties of his office or in relation thereto, or otherwise than for his own wilful act or default.

CHAPTER VII.

OFFICERS OF THE BANK.

32. The directors shall have power—

Appointment, salaries, suspension and removal of officers.

to appoint such officers, clerks and servants as may be necessary to conduct the business of the Bank,

to grant salaries, pensions and other emoluments to such officers, clerks and servants, and

to suspend or remove any officer, clerk or servant of the Bank.

33. The Secretary and such other officers of the Bank as the directors may by writing notified in the local official Gazette (and, in the case of the Bank of Bengal, also in the *Gazette of India*) are hereby severally empowered for and on behalf of the Bank to endorse and transfer promissory notes, stock-receipts, stock, debentures, shares, securities and documents of title to goods, standing in the name of, or held by, the Bank,

Accounts, receipts and documents of Bank by whom to be signed.

and to draw, accept and endorse bills of exchange, bank post-bills, and letters of credit, in the current and authorized business of the Bank,

and to sign all other accounts, receipts and documents connected with such business.

34. No Secretary, Inspector, Manager, or Accountant in the service of the Bank,

Officers forbidden to engage in other connected business.

and no Khazánchi, Cashier or Sheroff in the service of the Bank at the principal office,

and, without the previous sanction of the Board, no Agent, Khazánchi, Cashier or Sheroff at any branch or agency of the Bank,

shall engage in any other banking or commercial business, either on his own account or as agent for any other person or persons, or shall act as broker or agent for the sale or purchase of Government or other securities.

35. Every person appointed to hold, or act in, any one or more of the said offices, and every other officer from whom the directors may from time to time think fit to require it, shall give security to the directors, for the faithful discharge of his duty to the satisfaction of the directors, in such amount and in such manner as they think proper.

Security from officers.

The security to be given as aforesaid by the person holding or acting in the office of Secretary shall not be in a less amount than fifty thousand rupees.

CHAPTER VIII.

BUSINESS.

36. The Bank is authorized to carry on and transact the several kinds of business hereinafter specified (that is to say):

Business which Banks may transact.

(a) the advancing and lending money, and opening cash-credits, upon the security of—

(1) promissory notes, debentures, stock and other securities of the Government of India, or of the United Kingdom of Great Britain and Ireland;

(2) bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(3) stock or debentures of, or shares in, Railway or other Companies, the interest whereon shall have been guaranteed by the Secretary of State for India in Council;

(4) debentures or other securities for money issued by, or on behalf of, any municipal body under the authority of any Act of a legislature established in British India;

(5) bullion or other goods which, or the documents of title to which, are deposited with, or assigned to, the Bank as security for such advances, loans or credits; and

(6) bills of exchange and other negotiable instruments:

Provided that such advances and loans may be made, if the directors think fit, to the Secretary of State for India in Council, without any specific security;

(b) the selling and realization of the proceeds of sale of any such promissory notes, debentures, stock receipts, bonds, annuities, stock, shares, securities, bullion or goods which, or the documents of title to which, have been deposited with, or assigned to, the Bank as security for such advances, loans or credits, or which are held by the Bank, or over which the Bank is entitled to any lien or charge in respect of any such loan or advance or credit or any debt or claim of the Bank, and which have not been redeemed in due time in accordance with the terms and conditions (if any) of such deposit or assignment;

(c) the drawing, discounting, buying and selling of bills of exchange and other negotiable securities payable in India, or (in the case of the Bank of Madras) in Ceylon;

(d) the investing of the funds of the Bank upon any of the securities specified in paragraph (a) of this section, clauses (1), (2), (3) and (4), and converting the same into money when required,

and from time to time altering, converting and transposing such investments for or into others of the investments above specified;

(e) the making, issuing and circulating of bank-post-bills and letters of credit made payable in India, or (in the case of the Bank of Madras) in Ceylon, to order, or otherwise than to the bearer on demand;

(f) the buying and selling of gold and silver, whether coined or uncoined;

(g) the receiving of deposits and keeping cash-accounts on such terms as may be agreed on;

(h) the acceptance of the charge and management of plate, jewels, title-deeds or other valuable goods on such terms as may be agreed upon;

(i) the selling and realizing of all property whether moveable or immoveable, which may in any way come into the possession of the Bank in satisfaction or part satisfaction of any of its claims;

(j) the transacting of pecuniary agency business on commission;

(k) the acting as agent on commission in the transaction of the following kinds of business (namely):—

(1) the buying, selling, transferring and taking charge of any securities, or any shares in any public Company;

(2) the receiving of the proceeds, whether principal, interest or dividends, of any securities or shares;

(3) the remittance of such proceeds at the risk of the principal by public or private bills of exchange, payable either in India or elsewhere;

(l) the drawing of bills of exchange, and the granting of letters of credit, payable out of India, for the use of principals for the purpose of the remittances mentioned in the last preceding clause of this section;

(m) the buying, for the purpose of meeting such bills or letters of credit, of bills of exchange payable out of India, at any usance not exceeding six months;

(n) and, generally, the doing of all such matters and things as may be incidental or subsidiary to the transacting of the various kinds of business hereinbefore specified;

(o) It shall also be lawful for the Bank under any arrangement or agreement with the Secretary of State for India in Council—

(1) to act as banker for, and to pay, receive, collect and remit money, bullion and securities on behalf of the Government;

(2) to undertake and transact any other business which the Government may from time to time entrust to the Bank;

And the directors shall have power from time to time to arrange and settle with the Governor General in Council the terms of remuneration on which such business shall be undertaken by the Bank, and also as to the examination and audit from time to time of the accounts and affairs of the Bank by or on behalf of the Governor General in Council.

Business which Banks may not transact.

37. The directors shall not transact any kind of banking business other than those above specified, and in particular they shall not make any loan or advance—

(a) for a longer period than three months; or

(b) upon the security of stock or shares of the Bank of which they are directors; or

(c) upon mortgage, or in any other manner upon the security, of any immoveable property, or the documents of title relating thereto.

(d) Nor shall they lend or advance, by discount of bills or otherwise, to any individual or partnership firm (except upon the security mentioned in section thirty-six, paragraph (a), numbers (1) to (5) inclusive), any sums of money exceeding in the whole at any one time such sum as may be prescribed by the by-laws for the time being in force.

(e) Nor shall they discount or buy, or advance and lend, or open cash-credits on the security of any negotiable instrument of any individual or partnership firm, payable in the town or at the place where it is presented for discount, which does not carry on it the several responsibilities of at least two persons or firms unconnected with each other in general partnership.

(f) Nor shall they discount or buy, or advance and lend, or open cash-credits on the security of any negotiable security having at the date of the proposed transaction a longer period to run than three months, or if drawn after sight, drawn for a longer period than three months: provided that, in the case of the Bank of Madras, the directors may discount negotiable securities payable in Ceylon having at the date of the transaction a period to run not exceeding four months.

Sums payable by or to Government to be payable at Banks.

38. Until the expiration of at least fourteen days after notice has been given by notification of the Governor General in Council published, in the case of the Bank of Bengal, in the *Gazette of India* and the *Calcutta Gazette*, and in the cases of the Bank of Madras and the Bank of Bombay, in the local official Gazette, that the Bank will no longer act as banker for, or pay, receive, collect or remit money, bullion and securities on behalf of the Government,

all sums payable by or to the Secretary of State for India in Council, or by or to the Governor General in Council, or the Government of Bengal or the Governor of Fort St. George in Council or the Governor of Bombay in Council, on behalf of the Secretary of State for India in Council, at the General Treasury of Fort William in Bengal, or at the General Treasury at Madras, or at the General Treasury at Bombay,

shall be payable—

in the case of the Secretary of State for India in Council, or the Governor General in Council—at the office of the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, as the case may be,

in the case of the Government of Bengal—at the office of the Bank of Bengal;

in the case of the Governor of Fort St. George in Council—at the office of the Bank of Madras; and

in the case of the Governor of Bombay in Council—at the office of the Bank of Bombay.

Presentment of promissory notes at Banks.

39. Whenever presentment of any promissory note, bond or other security for payment or any other purpose at any of the said General Treasuries would heretofore have been necessary or sufficient, presentment for such purpose shall be necessary or sufficient (as the case may be) until the expiration of fourteen days after the giving of the notice mentioned in section eleven—

in the case of the General Treasury of Fort William—at the office of the Bank of Bengal;

in the case of the General Treasury at Madras—at the office of the Bank of Madras; and

in the case of the General Treasury at Bombay—at the office of the Bank of Bombay.

Place of business.

40. The office of the Bank of Bengal shall be at Calcutta, that of the Bank of Madras shall be at Madras, and that of the Bank of Bombay shall be in the Island of Bombay;

and the business of the Bank shall be carried on at its office, and at such other place or places in India as the Board may deem advisable, under the provisions of section fifteen.

Regulation of business premises.

41. For the purpose of providing offices and places in and at which to carry on and manage the business of the Bank, and proper residences for its agents, the directors may—

(*a*) acquire any interest in immoveable property, and

(*b*) sell, buy in, resell, exchange, let, furnish, repair, insure against fire and otherwise deal with all or any part of the same as they may consider most conducive to the interests of the Bank.

Establishment of branches and agencies.

42. It shall be lawful for the directors to maintain as branches or agencies of the Bank, any branches or agencies of the present Banks, which may be in existence on the first day of May 1876,

and, from time to time, to establish branches or agencies at such places within the Presidency in which the Bank is situate as they deem advantageous to the interest of the Bank,

and, with the previous consent of the Governor General in Council, and subject to such restrictions as to the business to be transacted as he thinks fit in such case to impose (such consent and restrictions being notified in the *Gazette of India*), to establish branches or agencies at such places outside the Presidency in which the Bank is situate, as the directors deem advantageous for the interests of the Bank:

Proviso.

Provided that no agency of the Bank now or hereafter established in Bombay, Calcutta or Madras shall advance, or lend money, or open cash-credits on securities, or receive deposits and keep cash-accounts, or discount bills of exchange drawn and payable in the Presidency in which it is so established,

or shall act as agent on commission, or transact any business except as agent of its principal Bank, or any of its branches or other agencies.

The directors may discontinue any branch or agency maintained or established under this section.

CHAPTER IX.

ACCOUNTS AND DIVIDENDS.

Books to be balanced twice a year.

43. The directors shall cause the books of the Bank to be balanced on every thirty-first day of December and every thirtieth day of June.

A statement of the balance at every such period, signed by a majority of the directors, shall be forthwith sent to a Secretary to the Government of India, and in the cases of the Bank of Madras and the Bank of Bombay, also to a Secretary to the Local Government.

The Governor General in Council in the case of each of the said Banks, and the Local Government in the case of the Bank of Madras and the Bank of Bombay, shall (so long as any such arrangement with the Government as aforesaid, which has already been, or shall hereafter be, entered into remains in force) at all times be entitled to require of the directors any information touching the affairs of the Bank and the production of any document of the Bank,

and in the case of each of the said Banks the Governor General in Council may require the publication of such statements of its assets and liabilities at such intervals and in such form and manner as the Governor General in Council thinks fit.

Every requisition under this section shall be signified in writing under the hand of a Secretary to the Government of India or to the Local Government (as the case may be), and the directors shall comply with every such requisition.

Dividends to be determined half-yearly.

44. An account of the profits of the Bank during the previous half-year shall be taken on or immediately after every thirty-first day of December and every thirtieth day of June,

and a dividend shall be made as soon thereafter as conveniently may be,

and the amount of such dividend shall be determined by the directors, subject ● the provisions of section forty-five;

No unpaid dividend shall bear interest as against the Bank.

Reserve-fund.

45. The directors, before declaring any dividend, may set aside out of the profits of the Bank such a sum as they think proper as a reserve-fund, and

invest the same upon any of the securities specified in section thirty-six, paragraph (*a*), clauses (1), (2), (3) and (4).

Application of reserve-fund.

46. The directors may from time to time apply such portion as they think fit of the reserve-fund to meet contingencies, *&c* for equalizing dividends, or for any other purposes of the Bank, which they from time to time deem expedient.

CHAPTER X.

AUDIT.

Election of auditors.

47. Two auditors shall be elected and their remuneration fixed at the annual general meeting.

Who may be auditors.

The auditors may be proprietors or shareholders; but no director or other officer of the Company is eligible during his continuance in office.

Auditors re-eligible.

Any auditor shall be re-eligible on his quitting office.

Auditors' tenure of office.

The persons who shall be auditors on the first day of May 1876, and all auditors elected under this section, shall severally be and continue to act as auditors until the first general meeting after their respective elections:

Provided that if any casual vacancy occurs in the office of any auditor, the directors shall forthwith call a special meeting for the purpose of supplying the same.

Supply of casual vacancy in office.

Rights and duties of auditors.

48. Every auditor shall be supplied with a copy of the half-yearly balance-sheet, and it shall be his duty to examine the same, with the accounts and vouchers relating thereto.

Every auditor shall have a list delivered to him of all books kept by the Bank, and shall at all reasonable times have access to the books, accounts and other documents of the Bank, and may (at the expense of the Bank) employ accountants or other persons to assist him in investigating such accounts, and may, in relation to such accounts, examine the directors or any other officer of the Bank.

The auditors shall make a report to the proprietors and shareholders upon the annual balance-sheet and accounts; and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet containing the particulars required by the bye-laws made under this Act and properly drawn up so as to exhibit a true and correct view of the state of the Bank's affairs, and in case they have called for any explanation or information from the directors, whether it has been given by the directors and whether it has been satisfactory.

Such report shall be read together with the report of the directors at the annual general meeting.

CHAPTER XI.

MEETINGS.

Annual general meeting.

49. On the first Monday of the month of August in every year, or as soon after such day as is convenient, a general meeting shall be held, at which the directors shall submit to the proprietors and shareholders a statement of the affairs of the Bank made up to the preceding thirtieth day of June.

A notice convening such meeting, signed by the Secretary and Treasurer, shall be published in the local official Gazette, and in the case of the Bank of Bengal also in the *Gazette of India*, at least fifteen days before the meeting is held.

Special meetings.

50. Any ten or more proprietors or shareholders holding stock or shares, or both, to the aggregate amount of fifty thousand rupees, or any three directors, may convene a special meeting upon giving fifteen days' previous notice of such meeting, and of the purpose for which the same is convened, as well to the directors as also by public advertisement in the local official Gazette, and in two of the English daily newspapers and one of the Vernacular newspapers:

Provided that three months' previous notice shall be thus given of any special meeting held for the purpose of increasing or reducing the capital of the Bank, and shall also be served on every proprietor and shareholder.

Quorum.

51. No business shall be transacted at any meeting, whether general or special, unless a quorum of twenty proprietors or shareholders, or both, in person or by proxy, is present at the commencement of such business.

If within one hour from the time appointed for the meeting a quorum is not present, the meeting, if convened by proprietors or shareholders not being directors, shall be dissolved: in any other case it shall stand adjourned to the same day in the following week at the same time and place, and if at such adjourned meeting a quorum is not present it shall be adjourned *sine die*.

Decision by majority of votes.

52. At meetings whether general or special, every election and other matter submitted to the meeting shall be decided by a majority of votes, except as in section thirteen and in section twenty-seven, clause 4, is specially provided,

and no person shall be allowed to vote at any such meeting in respect of any stock or share acquired by transfer, unless such transfer shall have been completed and registered at least three months before the time of such meeting.

Persons not allowed to vote.

And no shareholder shall be entitled to vote at any meeting in respect of any shares held by him alone or jointly, whilst any call due from him alone or jointly remains unpaid.

Shareholders in arrear as to calls.

Power to declare resolution carried by show of hands.

53. A declaration by the chairman of any meeting, except a special meeting held under section thirteen, that a resolution has been carried thereat upon a show of hands, shall be conclusive, and an entry to that effect in the book of proceedings of the Bank shall be sufficient evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, such resolution, unless, immediately on such declaration, a poll be demanded in writing by five proprietors or shareholders present and entitled to vote at such meeting.

54. If a poll be demanded, it shall be taken at such time and place, and (except at the special meeting last aforesaid) either by open voting or by ballot, as the chairman directs and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

Poll to be taken, demanded.

55. The proceedings at any meeting, and all resolutions and decisions of such meeting, shall be valid and binding on the Bank, so far as such proceedings, resolutions and decisions are consistent with the provisions of this or any other Act for the time being in force and regulating the Bank.

Proceedings and resolutions at meetings to be binding.

56. At all such meetings, the proprietors or shareholders shall vote according to the following scale:—

Scale of votes.

The proprietor of capital stock amounting to Rs. 2,000, or the holder of shares of which the total nominal amounts are equal to Rs. 2,000, shall be entitled to	1 vote.
The proprietor of capital stock amounting to Rs. 10,000, or the holder of shares of which the total nominal amounts are equal to Rs. 10,000, shall be entitled to	2 votes.
The proprietor of capital stock amounting to Rs. 20,000, or the holder of shares of which the total nominal amounts are equal to Rs. 20,000, shall be entitled to	3 „
The proprietor of capital stock amounting to Rs. 30,000, or the holder of shares of which the total nominal amounts are equal to Rs. 30,000, shall be entitled to	4 „
The proprietor of capital stock amounting to Rs. 40,000, or the holder of shares of which the total nominal amounts are equal to Rs. 40,000, shall be entitled to	5 „
The proprietor of capital stock amounting to Rs. 50,000, or the holder of shares of which the total nominal amounts are equal to Rs. 50,000, shall be entitled to	6 „
The proprietor of capital stock amounting to Rs. 75,000, or the holder of shares of which the total nominal amounts are equal to Rs. 75,000, shall be entitled to	7 „
The proprietor of capital stock amounting to Rs. 1,00,000, or the holder of shares of which the total nominal amounts are equal to Rs. 1,00,000, shall be entitled to	8 „
The proprietor of capital stock amounting to Rs. 1,25,000, or the holder of shares of which the total nominal amounts are equal to Rs. 1,25,000, shall be entitled to	9 „
The proprietor of capital stock amounting to Rs. 1,50,000, or the holder of shares of which the total nominal amounts are equal to Rs. 1,50,000, shall be entitled to	10 „
The proprietor of capital stock amounting to Rs. 1,75,000, or the holder of shares of which the total amounts are equal to Rs. 1,75,000, shall be entitled to	11 „
The proprietor of capital stock amounting to Rs. 2,00,000, or the holder of shares of which the total amounts are equal to Rs. 2,00,000, shall be entitled to	12 „

Where a person is both a proprietor of stock and a holder of shares, his shares shall, for the purpose of this section, be deemed to be stock.

No proprietor or shareholder shall be entitled to more than twelve votes at any such meeting.

57. Any proprietor or shareholder entitled to vote at any meeting under this Act may give a proxy in writing, either general or special, under his hand or the hand of his attorney duly authorized, to any other proprietor or shareholder.

Proxies of proprietors or shareholders.

Such proxy shall be produced at the time of voting, and shall entitle the person to whom it is given to vote on such matters as shall be authorized by the tenor of such proxy.

But no person shall be permitted to vote in virtue of such proxy unless it has been left for registration at the office of the Bank at least three clear days before the time for holding the meeting at which it is intended to be used:

Provided that a general proxy which has been registered at such office need not be again left for registration previous to any subsequent meeting.

Proxies existing and in force with reference to any of the present Banks, on the first day of May 1876, shall continue in force and be available at meetings under this Act, anything herein contained notwithstanding.

Existing proxies.

A general power-of-attorney shall be deemed a proxy within the meaning of this section.

58. If any proprietor or shareholder is a lunatic or idiot, he may vote by his committee or other legal curator, and if any proprietor or shareholder is a minor, he may vote by his guardian, or any one of his guardians, if more than one.

Voting by lunatic and minor shareholders.

CHAPTER XII.

NOTICES.

59. Every notice or other document requiring to be served by the Bank upon any proprietor or shareholder may be served either personally, or by leaving it for, or sending it through the post by registered letter addressed to, him at his registered place of abode;

and every notice sent through the post shall be deemed to have been served at the time at which, in the usual course of post, it would have been delivered.

Service of notices by Bank.

60. Any proprietor or shareholder who changes his name or place of abode, or being a female marries, and the husband of any such female, respectively, shall not be entitled to recover any dividend or to vote until notice of the change of name or abode or marriage be given to the Bank, in order that the same may be registered.

Every notice to be given on the part of any proprietor or shareholder shall be left at the office of the Bank, or sent through the post by registered letter addressed to the Secretary and Treasurer of the Bank at its principal office.

Notices by shareholders.

61. Every person who by operation of law, transfers or otherwise becomes entitled to any stock or shares, shall be bound by any and every notice or other document which, previously to his name and address being entered upon the register of the Bank in respect of such stock or shares, has been given to the person from whom he derives his title thereto.

Shareholder bound by notices, to previous holders.

62. When any notice or document is delivered or sent, in accordance with this Act, at or to the registered place of abode of a proprietor or shareholder, then, and notwithstand-

Service of notices good notwithstanding shareholder's death.

ing he be then deceased, and whether or not the Bank have notice of his decease, such service of the notice or other document shall, for all purposes of this Act, be deemed service thereof on him, or, if dead, on his heirs, executors, administrators, and every of them.

CHAPTER XIII.

BYE-LAWS.

62. The directors shall as soon as may be make, and may from time to time alter, bye-laws regulating the following matters or any of them :—

Power of directors to make bye-laws.

(*a*) the maximum amount which may be advanced or lent by discount of bills, or otherwise, to any individual or partnership, without the security mentioned in section thirty-six, paragraph (*a*), Nos. (1) to (5) inclusive,

(*b*) the circumstances under which alone advances may be made to directors or officers of the Bank, or the relatives of such directors or officers, or to companies, firms or individuals with which or with whom such directors, officers, or relatives are connected as partners, directors, managers, servants, shareholders, or otherwise,

(*c*) the particulars to be contained in the half-yearly balance-sheet,

The directors may from time to time make bye-laws regulating the following matters or any of them :—

(*d*) the distribution of business amongst the directors,

(*e*) their remuneration,

(*f*) the delegation of any powers of the directors to committees consisting of members of their body,

(*g*) the procedure at the meetings of the board or of any committee of the directors,

(*h*) the books and accounts to be kept at the head and other offices respectively,

(*i*) the reports and statements to be prepared and made by the Chief Accountant, the heads of departments, and the other officers of the Bank,

(*j*) the management of the branches and agencies,

(*k*) the fees payable for certificates of shares or receipts for stock, or for registration of transfers of shares or stock,

(*l*) the renewal of certificates of shares and receipts for stock, which have been worn-out or lost,

(*m*) and, generally, for the conduct of the business of the Bank :

Provided that no bye-law, or alteration or rescission of any bye-law, shall be of any validity, except in so far as the same is consistent with the provisions of this Act, and has been previously approved by the Governor General in Council, and such approval has been signified in writing under the hand of a Secretary to the Government of India.

Proviso.

CHAPTER XIV.

MISCELLANEOUS.

64. The directors may institute, conduct, defend, compromise, refer to arbitration and abandon legal and other proceedings and claims by or against the Bank or the directors or officers of the Bank, and otherwise concerning its affairs.

Power to institute and compromise suits.

65. In any suit brought against any shareholder to recover any debt due for any call or other monies due from him in his character of shareholder, it shall be sufficient to allege that the defendant is a shareholder of the Bank, and is indebted to the Bank in respect of a call made or other monies due, whereby a right to sue has accrued to the Bank ;

Evidence in legal proceedings against shareholders.

and, on the hearing of any suit brought by the Bank against any shareholder to recover any debt due for any call, it shall be sufficient to prove that the name of the defendant is on the register of shareholders of the Bank as the holder of the shares in respect of which such debt accrued, and that the call was made, and that notice of such call was duly given to the defendant in pursuance of this or any other Act for the time being in force regulating the Bank ;

and it shall not be necessary to prove the appointment of the directors who made such call, nor that a quorum of directors was present at the Board at which such call was made, nor that the meeting at which it was made was duly convened or constituted.

66. Nothing in the Thirty-third of George the Third, session two, chapter fifty-two, shall be deemed to render it unlawful for any servant of Government, or for any Judge of a High Court, to become a member of any corporation established under this Act.

Modification of 33 Geo. III, sess. 2, cap. 52

67. And whereas the Government of India has agreed to sell, and the directors of the present Bank of Bengal have agreed to purchase, at a premium of twenty-two and a half per centum, the said two thousand two hundred shares of one thousand rupees each held by the Government of India in the same Bank ; and it is intended that the directors of the Bank of Bengal as constituted by this Act shall cancel two thousand of such shares, and sell for the benefit of the Bank four hundred shares in the same Bank corresponding with the remaining two hundred shares so agreed to be sold and purchased ;

Sale to Banks of Bengal and Madras of Government shares therein.

And whereas the Government of India has agreed to sell, and the directors of the present Bank of Madras have agreed to purchase, at a premium of ten per centum, the said five hundred and sixty-two and a half shares held by the Government of India in the same Bank ; and it is intended that the directors of the Bank of Madras as constituted by this Act shall cancel the same shares ;

And whereas the directors of the present Bank of Madras have purchased and cancelled other sixty-two and a half shares in such Bank ;

Purchase and cancellation by directors of 62½ shares in present Bank of Madras.

And whereas the said respective directors of the present Bank of Bengal and Bank of Madras had no power to enter into the said agreements with the Government of India, and the directors of the Bank of Bengal as constituted by this Act have no power to sell the four hundred shares referred to in this section, and the said directors of the present Bank of Madras had no power to purchase and cancel the said other sixty-two and a half shares ;

And whereas the directors of the Bank of Bengal as constituted by this Act have no power to cancel the said two thousand shares and the said directors of the Bank of Madras as consti-

toted by this Act have no power to cancel the said five hundred and sixty-two and a half shares;

And whereas it is expedient to confirm the said agreements with the Government of India, and to indemnify the said respective directors of the present Bank of Bengal and Bank of Madras for entering into the same, and to confirm the said purchase of the said other sixty-two and a half shares by the directors of the present Bank of Madras, and to indemnify the same directors for making the same, and for cancelling the same shares, and to empower the directors of the Bank of Bengal as constituted by this Act to sell the said four hundred shares, and to empower the respective directors of the Bank of Bengal and Bank of Madras as constituted by this Act to cancel the said shares so intended to be cancelled; It is hereby further enacted as follows:—

Confirmation of agreements with Government.

(*a*).—The said agreements with the Government of India are hereby confirmed, and the said respective directors of the present Bank of Bengal and Bank of Madras are hereby indemnified for entering into the same; and no suit or other proceeding shall be maintained against any such director in respect of any thing *bonâ fide* done in pursuance of either of such agreements.

Confirmation of purchase of the 62½ shares.

(*b*).—The said purchase of the said other sixty-two and a half shares is hereby confirmed, and the said directors of the present Bank of Madras are hereby indemnified for making the same and for cancelling the same shares; and no suit or other proceeding shall be maintained against any such director in respect of anything *bonâ fide* done in effecting such purchase and cancellation.

Sale by directors of 400 shares in Bank of Bengal.

(*c*).—The directors of the Bank of Bengal as constituted by this Act shall have power to sell, and shall, as soon as conveniently may be, sell, the said four hundred shares, either together or in parcels, and either by public auction or private contract, and shall apply the proceeds in or towards paying the price of the shares of the Government of India so agreed to be purchased by the directors of the present Bank as aforesaid, or otherwise for the benefit of the Bank of Bengal as constituted by this Act.

Cancellation of certain shares.

(*d*).—The directors of the Bank of Bengal as constituted by this Act shall have power to cancel, and shall, as soon as conveniently may be, cancel, the said two thousand shares, and the directors of the Bank of Madras as constituted by this Act shall have power to cancel, and shall, as soon as conveniently may be, cancel, the said five hundred and sixty-two and a half shares.

SCHEDULE.

(SEE SECTION 2.)

Part I.—Statute.

Number and year.	Abbreviated title.	Extent of repeal.
47 George III., sess. 2, cap. 68.	An Act for the better government of the Settlements of Fort St. George and Bombay, &c.	Sections eight, nine, and ten.

Part II.—Acts of the Governor General in Council.

Number and year.	Title.
IV of 1862	An Act for regulating the Bank of Bengal.
V of 1862	An Act to provide for the payment at the Banks of Bengal, Madras and Bombay, of monies payable at the General Treasuries of Calcutta, Madras and Bombay.
VI of 1862	An Act to annex a schedule to Act IV of 1862.
XXIX of 1863	An Act to declare the receipts of the Banks of Bengal, Madras and Bombay to be sufficient in lieu of the receipts of the Sub-Treasurers of Fort William, Fort St. George and Bombay, respectively.
XIX of 1870	An Act to enable the Directors of the Bank of Bengal to act by a quorum.

Part III.—Acts of the Governor of Fort St. George in Council.

Number and year.	Title.
VI of 1866	An Act for repealing Madras Act V of 1862, and for regulating the Bank of Madras.
I of 1871	An Act to amend Madras Act VI of 1866, to give validity to certain acts done by the Directors of the Bank of Madras, and to enable outgoing Directors to be re-elected.

Part IV.—Acts of the Governor of Bombay in Council.

Number and year.	Title.
X of 1863	An Act for the Reincorporation and re-constitution of the Bank of Bombay.
XV of 1866	An Act to amend Act No. X of 1863 (Bombay).
I of 1867	An Act to reduce the amount of the capital of the Bank of Bombay and of the shares thereon, and to amend Act X of 1863 and Act XV of 1866 (Bombay).

WHITLEY STOKES,
Secy. to the Govt. of India.

APPENDIX TO

The Calcutta Gazette.

WEDNESDAY, FEBRUARY 2, 1876.

FOURTH QUARTER

BENGAL LIBRARY CATALOGUE OF BOOKS

FOR THE

Quarter ending 31st December 1875.

1 Number.	2 Title (or translated title English when the title-page is not in that language).	3 Language in which the book is written.	4 Name of author, translator, or editor of the book, or any part of it.	5 Subject.	6 Place of publication and place of publication.	7 Name or firm of printer, and name or firm of publisher.
						BENGALI
849	Shishubodhak; or, Child's Instructor.	Bengali	Author's name not given.	Miscellaneous.	Printed and published at the Hindu Press, No. 60, Ahiritola Street, Calcutta.	Printed and published by Sukhdevkwar Ghosh.
850	Annadamangal: Bidyasundar; Chor Panchashat; and Manasingha, Four famous Bengali Poems.	ditto	Bharatchandra Raya Gunakar.	Poetry	Printed and published at the Sudharnab Press, No. 117, Chitpore Road, Calcutta.	Printed by Ishanchandra Shil, and published by Trailokyenath Datta.
851	Anatomy, Descriptive and Surgical in Bengali. Part II.	ditto	Mahendranath Gupta.	Medical, E.	Printed and published at the Unionbak Press, Calcutta.	Printed and published by Nandakrishna Sackty.
852	Ditto ditto. Part III	ditto	ditto	ditto	ditto	ditto
853	The New Testament	ditto	Bible Translation Society.	Religion, C.	Printed at the Baptist Mission Press, and published at the Premises of the Bible Translation Society.	Printed by Rev. C. B. Lewis, and published by the Bible Translation Society.
854	The Books of Genesis and Exodus.	ditto	ditto	ditto	ditto	ditto
855	Kashmir Kusum; or, the Flower of Cashmere.	ditto	Rajendramohan Basu.	Miscellaneous.	Printed and published at the Madhyastha Press, No. 30, Cornwallis Street, Calcutta.	Printed by Adwaitacharan Ghosh, and published by the author.
856	Pramod Manorama Nátak, the Names of the Hero and Heroine. A drama.	ditto	Bishweshwar Basu.	Drama	Printed and published at the Satyaprakash Press, Howrah.	Printed and published by Harakumar Kar.
857	Pramathanath Nátak. A drama.	ditto	Krishnadhan Banerji.	ditto	Printed and published at the Gupta Press, No. 24 Mirjafir's Lane, Calcutta.	Printed by Motilalsha and published by the author.
858	Bharater Sukh Sharbi Jabanbanhale; or, the Moon of India's Happiness swallowed up by the Jaban Race (Mohammedans).	ditto	Nabinchandra Bidyaratna.	ditto	Printed and published at the Kalyanprakash Press, No. 7, Haripal's Lane, Calcutta.	Printed by Brahmabrata Samadhyayarji, and published by the author.
859	Brihat Tarjar Lark; or, the Fierce Poetical Rencontre. Part II.	ditto	Nandalal Roya, and revised by Jaharchandra Das, Sarkar.	Poetry	Printed and published at the Sudharnab Press, No. 117, Chitpore Road, Calcutta.	Printed by Jahartial Shil and published by Trailokyanath Datta.
860	Kshetra Byabahar-o-jarip-Sambalit Patiganita; or, Arithmetic with Mensuration and Surveying.	ditto	Gopalchandra Banerji.	Science, M. & N. E.	Printed and published at the Hitaishi Press, No. 1, Krishnadas Pal's Lane, Calcutta.	Printed and published by Kailashchandra Banerji.
861	Nútan Patra Kaumudi; or, the New Letter-writer.	ditto	Madhusudan Bhattacharjya.	Miscellaneous, E.	Printed and published at J. G. Chatterji & Co.'s Press, No. 115, Amherst Street, Calcutta.	Printed by Bharatial Banerji, and published by the author.
862	Sahitya Prabesh; or, the Entrance to Literature.	ditto	Prasannachandra Chakrabarti.	Language, E.	Printed and published at the Girish Bidyaratna Press, No. 34, Upper Circular Road, Calcutta.	Printed by Harishchandra Kaberatna, and published by Girishchandra Bidyaratna.

Quarter ending 31st December 1876.

8	9	10	11	12	13	14	15	16
Date of issue from the press, or place of publication.	Number of sheets, leaves, or pages.	Size.	First, second, or other edition.	Number of copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	Remarks.
BOOKS.								
1876.	Pages.					Rs. A. P.		
Aug. 27th	108	12mo.	Not given.	6,000	Printed.	0 3 0		Containing the alphabet, sentences, reading lessons, arithmetic, samples of letter writing, with seven pictures of Hindu gods.
„ 27th	340	12mo.	First	1,100	ditto	0 4 0		The four well known works of the famous Bengali poet, Bhárat-chandra Rays, collected in one volume
Sept. 10th	276	Dy. 8vo.	First	500	ditto	2 8 0	Mahendranath Gupta, in charge of the Sealdah Lock Hospital.	
Aug. 29th	336	Dy. 8vo.	First	500	ditto	3 0 0	ditto	
„ 30th	155	12mo.	First	2,000	ditto	0 12 0		
„ 31st	248	12mo.	First	2,000	ditto	0 1 6		
„ 30th	273	8vo.	First	1,000	ditto	1 8 0		A topographical history of Cashmere.
Sept. 2nd	108	8vo.	First	500	ditto	1 0 0		The love and marriage of the hero and heroine are here narrated. Occasion is also taken to bring forward prominently several features in the present state of native society, the use of English words and phrases by Bengalis in mutual conversation; the prevalence of drinking customs; the ignorance and wickedness of the Brahmins. Female education and emancipation are also touched upon in the course of the play
„ 11th	101	8vo.	First	1,000	ditto	Not given.	Krishnadhan Banerji of Bhampukur	The drama describes the contest of Premchand to for the throne of Mrigadh with his uncle, and his ultimately securing it by the aid of Pratápaditya, Raja of Kanauj.
„ 12th	142	8vo.	First	1,000	ditto	1 0 0	Nabinchandra Bidyá-ratna of No. 1, Sib-ram Street	Describing the defeat of the Hindu Raja of Kanakpúra, Hastinapur, &c., by sultan Mahmood Ghazni of Ghazni, and the subsequent decadence of the Hindu power.
„ 14th	100	8vo.	First	2,100	ditto	0 2 6	——	Questions and answers on subjects taken from the various Puránas, Shástras, &c.
Sept. 15th	624	12mo.	Fourth	1,000	ditto	1 8 0	Gopalchandra Banerji of Mánikahar.	
„ 16th	148	12mo.	First	1,000	ditto	0 6 0	Madhusudan Bhattacharjya of Dhalian.	
„ 16th	274	12mo.	Eighth	2,000	ditto	0 12 0	Prasannachandra Chakrabarti, of Pacca.	This work contains a comprehensive grammar and a short history of the Bengali language, and also gives rules for composition.

1	2	3	4	5	6	7
Number.	Title (to be translated into English when the title-page is not in that language).	Language in which the book is written.	Name of author, translator, or editor of the book, or any part of it.	Subject.	Place of printing and place of publication.	Name or firm of printer, and name or firm of publisher.
						BENGALI
863	Gospel according to St. John	Bengali	The Calcutta Auxiliary Bible Society	Religion, C.	Printed at the Baptist Mission Press, Calcutta, and published at the Depôt of the Calcutta Auxiliary Bible Society.	Printed by Rev. C. B. Lewis, and published by the Calcutta Auxiliary Bible Society.
864	Principles and Practice of Medicine. Vol. 1, No. 1.	ditto	Durgádás Rája	Medical, E.	Printed and published at the East Bengal Press, Dacca.	Printed and published by Nabinchandra De.
865	Principles and Practice of Medicine. Vol. 1, No. 2.	ditto	ditto	ditto	ditto	ditto
866	Prabhát Khanda Part 1 to X.	ditto	Ishanchandra Sarkár	Poetry	Printed and published at the Sudhánidh Press, No. 117, Chitpore Road, Calcutta.	Printed by Jaharlál Shil, and published by Trailokyanáth Dutta.
867	Sachitra Párasik Sáhi Arab Kirtan, or, the Arabian Nights Illustrated. In Parts. The Three Apples.	ditto	Satyacharan Gupta	Fiction, E.	Printed and published at the Gupta Press, No. 24, Mirjápúr Lane, Calcutta.	Printed by Muzlabkás and published by the author.
868	Kumár Sambhava; or, the Birth of Kumárya; by Kálidása. Canto I to 7	ditto	Translated by Krishnakamal Bhattacharjya, M.A.	Religion, H.	Printed at the Kar Press, No. 107, Shámbazar Street, Calcutta, and published at No. 15, Boorpara Lane.	Printed by Jadunáth Mandal, and published by Hemánth Sen
869	Gyánkaumudi; or, the Moonlight of Knowledge.	ditto	The late Rámnarsinha Sen.	Miscellaneous, E.	Printed at the Kalpataru Press, No. 17 Bindábun Basák's Street, Calcutta, and published at Battala, No. 115, Chitpore Road.	Printed by Anukúlchandra Chatterji, and published by Rádhánáthur Laha
870	Zelekha. Antibook I. A Historical Tale Part I.	ditto	Extracted and Translated from the English by Shrishpendá Rája.	Fiction, E.	Printed and published at the Bentinck Press, Calcutta.	Printed and published by Mahendranath Ghosh.
871	Bidhabá Bangabásí Natak; or, the Bengali Widow	ditto	Bihárilál Mitra	Drama.	Printed as above, and published at No. 2, Mirjá fir's Lane, Calcutta.	Printed as above, and published by the author.
872	Bhábukár Bhrit, &c.; or, the Mendicant Bag.	ditto	Chandrashekhar Sen.	Miscellaneous.	Printed and published at the People's Friend Press, No. 43, Chunámgully, Calcutta.	Printed and published by Rásbihárilal.
873	Krishi Chandriká; or, the Moonlight of Agriculture. Parts I & II.	ditto	Compiled by Umeshchandra Sen Gupta.	Science, N. E.	Printed and published at the Tamohar Press, Serampore.	Printed by Brajamohan Sen, and published by Kailáshchandra Sen Gupta.
874	Homœopathik Chikitsá Bigyán; or, the Science of Homœopathic Medicine. Part I, No. 2.	ditto	Compiled by Bihárilál Bhádurí.	Medical.	Printed and published at the New Indian Press, No. 11, Patuátóla Lane, Calcutta.	Printed and published by Ramnarainha Banerji.
875	Dukh Sangini; or, Companion in Sorrow.	ditto	Harishchandra Neogi.	Poetry	ditto	ditto
876	Dharmmalagyan Pij; or, the Origin of the Science of Religion. Part I.	ditto	Kailáshankar Dás.	Theology.	Printed and published at the Indian Mirror Press.	Printed and published by Gopálchandra Dás.

Quarter ending 31st December 1875.—(Continued.)

8	9	10	11	12	13	14	15	16
Date of issue from the press of each publication.	Number of sheets, leaves, or pages.	Size.	First, second, or other edition.	Number of copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any person of it.	Remarks.
BOOKS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Sept. 16th.	104	12mo.	Not known.	10,000	Printed.	0 0 2		
Aug. 12th.	28	8vo.	First.	500	ditto	0 6 0		A series of Lectures delivered by Babu Durgácha Ráya, a teacher of the Dacca Medical School.
Sept. 28th.	24	8vo.	Second.	500	ditto	0 6 0		Ditto ditto.
„ 6th.	307	32. 12mo	First.	1,200	ditto	0 8 0		The acts of Krishna (for his being crowned King of Vrindavan at the holy shrine at Pooree.
„ 28th.	40	8vo.	First.	2,000	ditto	0 3 0	Satyacharn Gupta, of Calcutta.	
„ 17th.	111	8vo.	First.	1,500	ditto	0 12 0	Hemanth Bose, of No. 15, Boorpara Lane, Calcutta, Bookseller.	
„ 22nd.	144	8vo.	Not given.	2,000	ditto	0 4 0	Bishwambhar Lilak, of No. 15, Kalipersad Dutta's Street.	Containing example of letter-writing.
„ 24th.	100	8vo.	First.	500	ditto	0 10 0	Sivaliprasad Roya, of No. 20, Shukhárí-tolá, Calcutta.	Narrating the misdeeds of the two daughters and wife of the Commander-in-Chief of Turkestan, whose tomb was the bottom of the lake; the latter remains complete as to Zuleikha.
„ 24th.	124	8vo.	First.	500	ditto	1 0 0	Bihárilal Mitra, of No. 2, Marpúli's Lane, Calcutta.	Showing how a Pralaksi managed to outwit a widow, and at the same time to expose interests of all kinds.
„ 25th.	124	Fy. 12mo	First.	500	ditto	0 10 0	Chandrashekhar Sen, of Agarpára.	The injustice of Government in the Bandy case; the inconsistent conduct of the Brahmo and the Brahmos; the impropriety of the present system of marriages, and the bad conduct of Hindu females, are severally treated of.
„ 27th.	128	12mo.	Second.	1,000	ditto	0 8 0	Kailáchandra Sen Gupta, of Barrasat, near Calcutta.	
Oct. 2nd.	28	8vo.	First.	1,000	ditto	1 4 0	Bihárilal Bhadurí.	
„ 30th.	107	8vo.	First.	500	ditto	0 12 0	Harish-chandra Nag[illegible]	...llection of lyric poems on love, the Saraswati Puja, address to...
Sept. 4th.	144	12mo.	First.	500	ditto	0 8 0	Kalichandra Das, of Rungpore.	

1 Number.	2 Title (to be translated into English when the title-page is not in that language).	3 Language in which the book is written.	4 Name of author, translator, or editor of the book, or any part of it.	5 Subject.	6 Place of printing and place of publication.	7 Name or firm of printer, and name or firm of publisher.
						BENGALI
877	Hitopákhyanmála; or, a Garland of Instructive Tales. (Part II.)	Bengali	Translated from the Persian by Girish-chandra Sen.	Fiction, P.	Printed and published at the Indian Mirror Press.	Printed and published by Gopálchandra Dás.
878	Karnarjun Kabya; or, Poem relating to Karna and Arjun. (Part I.)	ditto	Baladéb Pálit	Poetry	Printed and published at the Stanhope Press, No. 249, Bow Bazar, Calcutta.	Printed by I. C. Bose and Co., and published by the author.
879	Maulasá Nátak; the Name of the Heroine. A drama.	ditto	Prophullachandra Shástchárjya.	Drama	Printed and published at the Chandrodaya Press, Serampore.	Printed by Gangadhar Karmakar, and published by Brajanáth Banerji.
880	Gymnastics. (Part II. Illustrated.)	ditto	Harishchandra Sharmak.	Science, P.	Printed and published at the Anubikshan Press, No. 97, Bow Bazar Street, Calcutta.	Printed and published by Hemchandra Ghosh.
881	Srishti; or, the Creation	ditto	Chandrashekhar Basu.	Religion, H.	Printed and published at the Gupta Press, No. 24, Mirjafir's Lane, Calcutta.	Printed and published by Marilál Dás.
882	Baktara Kusumanjali; or, a Nosegay of Discourses.	ditto	ditto	Ditto	ditto	ditto
883	Brihatta Prabhát; or, Introduction to the Philosophy of the Vedas.	ditto	ditto	Philosophy	ditto	ditto
884	Swapna Prayán; or, the Ramblin[illegible] Dream.	ditto	Devjendranáth Thákur.	Poetry	Printed and published at the Bámiki Press, Calcutta.	Printed and published by Kalikinkar Chakrabarti.
885	Jatmuire; on Caste. Part I.	ditto	Gaurinath Kabiraj.	Miscellaneous.	Printed at the Purnapra-kash Press, Calcutta, and published at Bhawani-pore.	Printed by Mahendranath Bhattacharjya, and published by Jagannáthan Tarkalankar.
886	Gaurya Shabd Tattwa; or, an Enquiry into the Bengali Language. (Part I. P. A. Ghosh's Series).	ditto	Padmanábh Ghoshal and Abinash-chandra Mukerji.	Language.	Printed at the Purnapra-kash Press, Calcutta, and published at No. 11 College Street.	Printed by Mahendranáth Bhattacharjya, and published by Gobinda-chandra Ghosh.
887	Kabita Darpan; or, the Mirror of Poetry. Part I.	ditto	Bholánáth Mukerji.	Poetry, E.	Printed at the Kalatarakar Press, No. 37, Brindában Basak's Street, and published at No. 113, Chitpore Road, Calcutta.	Printed by Ambikacharan Chatterji, and published by Bishwambhar Lahá.
888	Shubhánkar. Mulak Manaseka; or, Mental Arithmetic (Bazar Accounts).	ditto	Kálipresanna Ganguli.	Arithmetic, E.	Printed at the Stanhope Press, No. 249, Bow Bazár Road, Calcutta, and published at the Sanskrit Press Depository.	Printed by I. C. Bose, & Co., and published by the author.
889	Ishwar Tattwa; or, Investigation into the Nature of the Deity. Part I.	ditto	Krishnadhan Chatterji.	Religion, H.	Printed and published at the East India Press, Harinábhi.	Printed and published by Bishwanáthan Ghosh.
890	Pushpanjali; or, a Garland of Flowers.	ditto	Shibnáth Shástchárjya, M.A.	Poetry	ditto	Printed as above, and published by Umeshchandra Datta.
891	Dharmma Bijaya. Nátak; or, the Triumph of Piety. A drama.	ditto	Rámnárayan Tarkaratna.	Drama	ditto	Printed as above, and published by Kálipresanna Bhattácharjya.

Quarter ending 31st *December* 1875.—(Continued.)

8	9	10	11	12	13	14	15	16
Date of issue from the press, or place of publication.	Number of sheets, leaves, or pages.	Size.	First, second, or subsequent edition.	Number of copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	Remarks.
BOOKS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Oct. 12th	156	8vo.	First	1,000	Printed.	0 12 0	Grishchandra Sen, of Calcutta.	Compiled and translated from the Persian work "Bostan."
„ 4th	168	8vo.	First	500	ditto	1 0 0	Baladeb Palit of Calcutta and Bankipore.	Relating to the battle between Karna and Arjun.
„ 12th	129	12mo.	First	1,000	ditto	1 0 0	Prafullachandra Bhattacharjya, of Sandalia, zillah Rajshahye.	The heroine of the drama, a member of the Gandarbha family, was taken away by a demon, but rescued by and married to Rhitudhaj, the Prince of Karnat.
„ 13th	67	12mo.	First	3,000	ditto	0 4 0	Harishchandra Bhaumna, of Calcutta.	
„ 18th	129	Sl. 8vo.	First	500	ditto	2 0 0	Chandrasekhar Basu, of Dwarbhanga.	The different theories of creation are herein dwelt upon.
„ 18th	206	Sl. 8vo.	First	500	ditto	2 0 0	ditto	A course of nineteen religious lectures on Brahmoism, delivered at Dwarbhánga.
„ 14th	184	Sl. 8vo.	First	500	ditto	2 0 0	ditto	
„ 18th	240	8vo.	First	1,000	ditto	1 4 0	Debendranath Thakur, of Calcutta.	On sorrow, joy, battle, tranquillity, &c., &c.
„ 25th	100	8vo.	First	1,000	ditto	1 0 0	Gaurinath Kabiranjan, of Bhawanipur.	On the different castes amongst the Hindus.
„ 25th	121	8vo.	First	1,000	ditto	1 0 0	Gobindachandra Ghosh, of Calcutta.	A very useful work, and the first of its kind embodying the result of much research, and containing the origin and history of the Bengali language and literature, with reference to the geography, history, and antiquities of Bengal.
„ 20th	143	12mo.	First	1,000	ditto	0 2 0	Bishwambhar Laha	Consisting of selections from various authors.
„ 1st	115	Dy. 12mo.	Third	1,000	ditto	0 2 0	Kalipresanna Gangali, of Bally.	
Augt. 6th	31	Dy. 8vo.	First	500	ditto	0 1 0	Krishnamohan Chatterji.	
Sept. 11th	104	Dy. 8vo.	First	500	ditto	0 10 0	Shibnath Bhattacharjya, of Bhawanipore.	Extracts of short poetical pieces from various Bengali periodicals.
„ 13th	128	Dy. 12mo.	First	1,000	ditto	0 10 0	Kalipresanna Bhattacharjya, of Harisabha.	An adaptation of "the Harishchandra Nátak" previously noticed, and taken from the Ramayana.

1	2	3	4	5	6	7
Number.	Title (to be translated into English when the title-page is not in that language).	Language in which the book is written.	Name of author, translator, or editor of the book, or any part of it.	Subject.	Place of printing and place of publication.	Name or firm of printer, and name of firm or publisher.
						BENGALI
902	Sulochanā Kābya; a tale about the Heroine Sulochanā.	Bengali.	Shivachāndra Bhattacharjya	Fiction	Printed at the Kāshi-khanda Press, Tollygunge, and published at the Bekāsi House of Balanchandra Naskar.	Printed by Girishchandra Bhattacharjya, and published by Balanchandra Naskar.
903	Charitāvali; or, a Series of Biographies.	ditto	Compiled by Ishwarchandra Vidyāsāgara.	Biography. E.	Printed at the Sanskrit Press, No. 62 Amherst Street, Calcutta, and published at No. 30 Beriha Chatterjee's Street.	Printed by Pitāmbar Banerji, and published by the Sanskrit Press Depository.
904	Byākarana Kaumudi; or, the moonlight of Grammar. Part I.	ditto	ditto	Grammar. E.	ditto	ditto
905	Shringāra Chintāmani; or, the jewel of songs.	ditto	Not given	Poetry	Printed and published at N. L. Shill's Press, No. 98, Ahiritola Street, Calcutta.	Printed and published by Nityalal Shil.
906	Jugatēr ādi hritānta; or particulars relating to the beginning of the world, i. e., the book of Genesis. I-IX.	ditto	Bible Translation society	Religion. C.	Printed and published at the Baptist Mission Press, Calcutta.	Printed by Rev. C. B. Lewis, and published by the Bible Translation Society.
907	Johan-likhita-susamāchār ekang tin patra; or, the Gospel according to St. John, and his three Epistles.	ditto	ditto	ditto	ditto	ditto
908	Anasta-rojarwa-bishaye Johanner prati prakāshita bākya; or, the Revelation to St. John about the eternal kingdom.	ditto	ditto	ditto	ditto	ditto
909	Mohānishadan Kābya, A pleasing Poem.	ditto	Ishwarchandra Chatterji.	Poetry	Printed at the Stanhope Press, No. 249 Bow Bazar, Calcutta, and published at Bally.	Printed by J. C. Bose and Co., and published by the author.
910	Sushruta, Part 16.	ditto	Ambikācharan Banerji.	Medical	Printed and published at the Victoria Press, No. 12 Radhakanth Mallik's Lane, Putuldanga, Calcutta.	Printed and published by Janakinath Rāya.
911	Prāchin Kābya Sangraha; or, a collection of ancient Poems, Part I. No. 10.	ditto	Edited by Akshayachandra Sarkār.	Poetry	Printed and published at the Sādhārani Press, Chinsurah.	Printed and published by Nandalāl Basu.
912	Rāja Rāmmohan Rāyer Prantia Granthāvali; or, a collection of Rāja Rāmmohan Rāya's works, Part VIII.	ditto	Edited by Rājnārāyan Basu and Gyānchandra Bhattāchārjya.	Religion. B.	Printed at the Adi Brahmo Samaj Press, and published at the premises of the Adi Brahmo Samaj.	Printed by Kshitis Chakravarti, and published by the Editor.
913	Rās-sangraha, a collection of short Poems, Part I.	ditto	Agbichandra Kunwar.	Poetry	Printed and published at the Burdwan Press, Burdwan.	Printed and published by P. L. Singha.
914	Janakimilan Nāṭak; or, the meeting with Janaki or Sītā, a drama.	ditto	.....	Drama	Printed at the Adhiri Press, Burdwan.	Printed by Purushottam Deb Chatterji.

Quarter ending 31st December 1875.—(Continued.)

8	9	10	11	12	13	14	15	16
Date of issue from the press or place of publication.	Number of sheets, leaves, or pages.	Size.	First, second, or other edition.	Number or copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	Remarks.
BOOKS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Nov. 20th	137	8vo.	First	1,000	Printed	1 0 0	Bakeshandra Nas-kar, of Behala.	The adventures of Seth and Basanta, two sons of Raja Birjit Singh, of Nashipur near Murshidabad, are herein narrated. These two were driven from

their father's house by the artifices of their step-mother; the elder shortly after became a Raja in another country, the younger however fared worse, became eventually the friend of a banker, with whom he travelled, and by his skill in playing chess, was married to the Heroine, the heiress of a rich Raja, who offered herself as a prize to any one who beat her in play; the banker had first tried, but was defeated and cast into prison. Basanta, on becoming rich, released his old friend but met with a very poor return from him; as he invigled Basanta into going on the river in a boat with his wife, and then pushed him into the stream. He however managed to keep himself afloat, and reached his elder brother's kingdom, whither the banker too had previously forcibly taken the heroine Sukchana with him, but she stood faithful to her marriage vow. All the parties met in the elder brother's capital, where the plot of the story thickens; the treacherous banker receives the punishment of his crimes: the brothers recognise each other, and are joined by their father, who had driven them into exile.

Oct. 25th	119	12mo.	Twenty-second.	5,000	ditto	0 4 0	Ishwarchandra Bidyasagara, Calcutta.	Containing an exemplary and instructive biography of twenty eminent persons.
Nov. 16th	115	12mo.	Eleventh	1,000	ditto	0 3 0	ditto.	
„ 1st	107	12mo.	Second	1,000	ditto	0 4 0	.....	Relative to the sports of Krishna at Brindaban.
„ 15th	32	8vo.	New	2,500	ditto	0 0 3	.....	
„ 6th	120	16mo.	New	2,000	ditto	0 0 3	.....	
„ 13th	50	16mo.	New	1,000	ditto	0 0 3	.....	
„ 22nd	251	Dy. 8vo.	First	500	ditto	1 8 0	Ishwarchandra Chatterji.	
„ 9th	40	Dy. 8vo.	First	650	ditto	0 4 0	Ambikacharana Banerji, of Calcutta.	
Sept. 20th	48	Dy. 8vo.	First	500	ditto	0 6 0	Akshayachandra Sarkar, of Kadamtala, Chinsurah, and Saradaprasad Charan Mitra, of No. 37, Raja Nabakrishna's Lane, Calcutta.	Containing the poems of Bidyapati, Chandidas, and Kalikankan.
Nov. 25th	64	8vo.	Second	1,000	ditto	0 8 0	Gyanchandra Bhattacharjya of Calcutta.	
Oct. 2nd	20	8vo.	Not given.	1,000	ditto	0 2 0	Aghorchandra Kunwar.	
	107	12mo.	Second	.....	ditto	.....	.....	The union of Ram and Sita after their separation.

CATALOGUE OF BOOKS for the

1	2	3	4	5	6	7
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						BENGALI
906	The Proverbs of Solomon, and Gospel according to St. Mark.	Bengali	Bible Translation Society.	Religion, C.	Printed and published at the Baptist Mission Press, Calcutta.	Printed by Rev. C. B. Lewis, and published by the Bible Translation Society.
906	The Life of Jesus Christ, as compiled from the Gospels of Matthew, Mark, Luke, and John.	ditto	ditto	ditto	ditto	ditto ...
907	Sarojini: The invasion of Chittor, a drama.	ditto	By the author of the "Purnikaram Prem."	Drama	Printed and published at the Bilmiki Press, Calcutta.	Printed and published by Kalikinkar Chakrabarti.
908	Kalikara-bichareter-phul-bicheer-aadesh: or, Full Bench Rulings of the Calcutta High Court.	ditto	Compiled by Law Sanyakinkar Sen, B.A. and B.L.	...	Printed at the Borderer Press, Burdwan.	Printed by P. L. Singha ...
909	Sushruta, Part 17	ditto	Ambikacharan Banerji.	Medical	Printed and published at the Victoria Press, No. 13 Radhanath Mallick's Lane, Calcutta.	Printed and published by Jasodanath Kaya.
910	Bijaya-nagarádhipa Maharaja Ram Nárak: or, a drama relating to Maharaja Ram, Ruler of Bijayanagar.	ditto	Ramchandra Mukerji.	Drama	Printed and published at the Bilmiki Press, Calcutta.	Printed and published by Kalikinkar Chakrabarti.
911	Subjects of Examination in the Bengali language, appointed by the Senate of the Calcutta University for the Entrance Examination of 1877.	ditto	Krishnamohan Mookerji-Banerji.	Miscellaneous, E.	Printed and published at the Prakrita Press, Calcutta.	Printed by Mathuranath Tarkaratna, and published by Thacker, Spink and Co.
912	Mahábharat Purán Sanskrita, Shanti Parbha, Part 5.	ditto	Translated by the late Kali Prasanna Singha.	Religion	Printed and published at the Kabya Prakash Press, No. 2 Haripal's Lane, Calcutta.	Printed by Brahmakrata Sanskhyiya Bhattacharjya, and published by Chakrabarti and Co.
913	Mahábhárat: Aswáhsedha Parbha, Part 62.	ditto	Translated by Mahendranath Bhattacharjya.	ditto	Printed and published at the Bharat Press, No. 367 Chitpore Road, Jorásanko, Calcutta.	Printed and published by Dharanidhar Mukerji.
914	Ditto ditto Part 68 ...	ditto	ditto	ditto	ditto	ditto ...
915	Ditto ditto ,, 69 ...	ditto	ditto	ditto	ditto	ditto ...
916	Ditto ditto ,, 70 ...	ditto	ditto	ditto	ditto	ditto ...
917	Shrimad Bhágalat, Part 46.	ditto	Translated by Rohinisandan Sarkar.	ditto	Printed and published at the New Sarkar's Press, No. 33, Muktaram Baboo's Street, Chorbágán, Calcutta.	Printed and published by Rohinisandan Sarkar.
918	Ditto ditto Part 47 ...	ditto	ditto	ditto	ditto	ditto ...
919	Ditto ditto ,, 48 ...	ditto	ditto	ditto	ditto	ditto ...
920	Ditto ditto ,, 49 ...	ditto	ditto	ditto	ditto	ditto ...
921	Ditto ditto ,, 50 ...	ditto	ditto	ditto	ditto	ditto ...
922	Ditto ditto ,, 51 ...	ditto	ditto	ditto	ditto	ditto ...
923	Ditto ditto ,, 52 ...	ditto	ditto	ditto	ditto	ditto ...
924	Ditto ditto ,, 53 ...	ditto	ditto	ditto	ditto	ditto ...
925	Ditto ditto ,, 1 ...	ditto	ditto	ditto	ditto	ditto ...
926	Ditto ditto ,, 4 ...	ditto	ditto	ditto	ditto	ditto ...
927	Ditto ditto ,, 5 ...	ditto	ditto	ditto	ditto	ditto ...
928	Ditto ditto ,, 6 ...	ditto	ditto	ditto	ditto	ditto ...
929	Ramáyana Sundarkánda, Canto 2, No. 2.	ditto	Translated and Revised by Gangagobinda Bhattacharjya.	Poetry	Printed and published at the Sealdah Datta Press.	Printed by Abhayagobinda Bhattacharjya, and published by the translator.
930	Ditto ditto, ditto, No. 4.	ditto	ditto	ditto	ditto	ditto

Quarter ending 31st December 1875.—(Continued.)

9.	10	11	12	13	14	15	16
Date of issue from the press, or place of publication.	Number of sheets, forms, or pages.	Size.	First issued, or other edition.	Number of copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	Remarks.
BOOKS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Nov. 18th	72	12mo	New	5,000	Printed	0 0 6	.....	
ditto	270	12mo	New	2,000	ditto	0 2 0	.....	
Nov. 30th	243	8vo.	First	1,000	ditto	1 4 0	Jotendra Tagore of Calcutta.	On the invasion of Chittor by the Muhammadans, it was suggested that the city would be delivered from the hands of the invader, if the heroine, Sarojini, daughter of the Raja, were offered up in sacrifice; but this was strenuously opposed by one clan of the Rajpoots, which gave rise to internecine war and bloodshed; meanwhile, Alaudin of Delhi took and pillaged the city.
Not given	296	8vo.	First	750	ditto	3 0 0	Satyaniskar Sen, of Burdwan.	
Dec. 1st	91	8vo.	First	450	ditto	.....	Ambikacharan Banerji of No. 13, Radhakrishi Mallik's Lane.	
Nov. 29th	148	8vo.	First	1,000	ditto	1 2 0	Ramchandra Mukerji.	
Nov. 25th	120	8vo.	First	500	ditto	1 1 0	Krishnanchan Banerji of Baligunge.	
Nov. 5th	207	Dy. 8vo.	Second	1,000	ditto	1 6 0	.....	
May 30th	94	8vo.	First	750	ditto	0 12 0	Pratapchandra Roya, of Calcutta.	
Sept. 12th	86	8vo.	First	1,000	ditto	0 12 0	ditto.	
Sep. 22nd	96	8vo.	First	1,000	ditto	0 12 0	ditto.	
Nov. 2nd	96	8vo.	First	1,000	ditto	0 12 0	ditto.	
Aug. 21st	48	Dy. 8vo.	First	600	ditto	0 4 0	Rohinnandan Sarkar, of Burdwan.	
Aug. 21st	48	Dy. 8vo.	First	600	ditto	0 4 0	ditto.	
Aug. 21st	48	Dy. 8vo.	First	600	ditto	0 4 0	ditto.	
Aug. 31st	48	Dy. 8vo.	First	600	ditto	0 4 0	ditto.	
Aug. 31st	48	Dy. 8vo.	First	600	ditto	0 4 0	ditto.	
Aug. 31st	48	Dy. Sup.	First	600	ditto	0 4 0	ditto.	
Sep. 6th	48	Dy. Sup.	First	600	ditto	0 4 0	ditto.	
Sep. 6th	40	Dy. 8vo.	First	600	ditto	0 4 0	ditto.	
Sep. 8th	25	Dy. 8vo.	Second	250	ditto	0 4 0	ditto.	
Sep. 6th	46	Dy. 8vo.	Second	250	ditto	0 4 0	ditto.	
Sep. 12th	48	Dy. 8vo.	Second	250	ditto	0 4 0	ditto.	
Aug. 28th	48	Dy. 8vo.	Second	250	ditto	0 4 0	ditto.	
Oct. 30th	80	Dy. 8vo.	First	1,000	ditto	0 12 0	Gangagobinda Bhattacharjya.	
Nov. 2nd	72	Dy. 8vo.	First	1,000	ditto	0 12 0	ditto.	

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						BENGALI
931	Saptakanda Ramayana; or, the seven books of the Ramayana.	Bengali.	Translated by the late Kriti-bas Pandit.	Poetry ...	Printed and published at the Hindu Press, No. 61 Abiritola Street, Calcutta.	Printed and published by Nilkeshwar Ghosh.
932	Jogakshishta Ramayana Upakhyan Prakarn.	ditto	Translated by Ganeshchandra Bhattacharjya.	Philosophy	Printed and published at the Bharat Press, No. 207 Jorasanko, Calcutta.	Printed and published by Umeschandar Mukerji.
933	Padma Puran. Part 19 ...	ditto	Translated by Rohinikumar Sarkar.	Religion. H.	Printed and published at the New Sarkar's Press, No. 36 Muktaram Babu's Street, Chorbagan, Calcutta.	Printed and published by Rohinikumar Sarkar
934	Ditto ditto. Part 20 ...	ditto	ditto	ditto	ditto ...	ditto ...
935	Ditto ditto. Ditto 21 ...	ditto	ditto	ditto	ditto ...	ditto ...
936	Ditto ditto. Ditto 22 ...	ditto	ditto	ditto	ditto ...	ditto ...
937	Ditto ditto. Ditto 23 ...	ditto	ditto	ditto	ditto ...	ditto ...
938	Kalika Puran; by Markandeya.	ditto	Translated by Durgacharan Banerji.	ditto	Printed and published at the Beadon Press, No. 66 Beadon Street, Calcutta.	Printed by Krishnaprasad Majumdar and published by Dayalchand Saha.
						BENGALI
1142	Khanár Bachan; or, the Words of Khana (a famous female astrologer).	ditto	Abdar Rahim ...	Miscellaneous.	Printed and published at the Rahmani Press, Golchipá, in zillah Mymensingh.	Printed and published by Abdar Rahim.
1143	Tradyik Jurer Puthi; or the book relating to the three days intermittent fever.	ditto	ditto ...	ditto ...	ditto ...	ditto ...
1144	Akaler Puthi; or, the book relating to famine.	ditto	ditto ...	ditto ...	ditto ...	ditto ...
1145	Strishiksr Rachanabali; or, Composition by Females. Part II.	ditto	Prankumár Das and Nabakanta Chatterji.	Miscellaneous, E.	Printed and published at the Girish Press, Dacca.	Printed and published by Moulo Baksh.
1146	Kabitákalap; or, a Collection of Poems.	ditto	Hémnáth Rây ...	Poetry, E. ...	Printed and published at the Nalakh Press, Dacca.	Printed and published by Ishárchandra Shil.
1147	Dwityabhag, Padyapather artha; or meanings of words in the Padyapath. Part II.	ditto	Compiled by Dwárkanath Pal.	Miscellaneous, E.	Printed and published at the Bangla Press, Dacca.	Printed and published by Lachman Basak.
1148	Chhanka Bidyasundar Tappa. Part I.	ditto	Aghorchandra Ghosh.	Poetry ...	Printed and published at the Chaitanya Chandrodaya Press, Calcutta.	Printed by Makhanlal Ghosh and published by Jadunath Datta.
1149	Ditto ditto. Part II. ...	ditto	ditto ...	ditto ...	Printed and published at the General Printing Press, No. 118, Chitpore Road, Calcutta.	Printed by Benimadhab Bhattacharyya, and published as above.
1150	Ditto ditto. Part III ...	ditto	ditto ...	ditto ...	ditto ...	ditto ...

Quarter ending 31*st December* 1875.—(Continued.)

8.	9	10	11	12	13	14	15	16
Date of issue from the press or publication.	Number of sheets, leaves, or pages.	Size.	First, second, or other edition.	Number of copies of which the edition consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	REMARKS.
BOOKS.—(Concluded.)								
1875.	Pages.					Rs. A. P.		
Aug. 30th	459	8vo.	Not given.	3,100	Printed	0 8 0	.....	
Oct. 20th	48	8vo.	First	750	ditto	0 4 0	Gangabandra Bhattachárjya.	
Sep. 10th	48	Dy. 8vo.	First	600	ditto	0 6 0	Kshirodasundari Sachár of Burdwan.	
„ 10th	48	Dy. 8vo.	First	600	ditto	0 6 0	ditto.	
„ 10th	48	Dy. 8vo.	First	600	ditto	0 6 0	ditto.	
„ 17th	44	Dy. 8vo.	First	600	ditto	0 6 0	ditto.	
„ 17th	44	Dy. 8vo.	First	600	ditto	0 6 0	ditto.	
„ 6th	96	Dy. 8vo.	First	1,000	ditto	0 12 0	Dayálchánd Sáha and Durgácharan Banerji, of Calcutta.	
PAMPHLETS.								
1875.								
April 4th	13	12mo.	First	Not given.	ditto	0 1 6	.....	On auspicious seasons and events.
„ 9th	13	12mo.	First	Not given.	ditto	0 2 0	.....	Treating of the origin and cause of this description of fever, and the utility of certain charms to counteract its effects.
Not given	16	12mo.	First	Not given.	ditto	0 1 6	.....	The incidents attendant on the recent famine.
Aug. 1st	21	8vo.	First	500	ditto	0 4 0	.....	Specimens of answers given by the female students of the Zenana Education Society.
„ 10th	74	8vo.	First	1,000	ditto	0 6 0	.....	Short poems on the full moon, poverty, dreams, &c.
„ 14th	54	12mo.	First	1,000	ditto	0 4 0	.....	
„ 18th	47	12mo.	First	2,000	ditto	0 3 0	Aghorchandra Ghosh, of No. 160, Chitpore Road.	Various songs adapted to different tunes.
„ 30th	36	12mo.	First	2,000	ditto	0 2 0	ditto	ditto.
Sept. 10th	36	12mo.	First	2,000	ditto	0 2 0	ditto	ditto.

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						BENGALI
1151	Pancharanga Phánkhálí; or, Five Poems in Metre.	Bengali.	Rajanílallabh Chatterji.	Poetry ..	Printed and published at the Kabitá Kaumudí Press, No. 117 Chitpore Road, Calcutta.	Printed by Hasíkáli Chandra.
1152	Kálímáyer Gahaná churi, Nakhalehwarer bipad; or, the Theft of the Jewels of the goddess Kálí, and the Distress of (her husband) Shiva thereat.	ditto	Akhilchandra Datta.	ditto ..	ditto ..	ditto ..
1153	Anandamayí talár Pánthachuri; or, the Theft of the goddess Kálí's sacrificial kid.	ditto	Rajanílallabh Chatterji.	ditto ..	ditto ..	ditto ..
1154	Shrikshetrer Jagannather Mandir Palan; or, the failing in of the temple of Jagannáth at that place.	ditto	Rámchandra Bhil.	ditto ..	ditto ..	ditto ..
1155	Deb Debir Bipad; or, the distress of the God and Goddess (referring to Kálí and Shiva).	ditto	Akhilchandra Datta.	ditto ..	ditto ..	ditto ..
1156	Kalkátár-ek-hujuk; or, This is the common talk about Calcutta.	ditto	ditto	ditto ..	ditto ..	ditto ..
1157	Prathan Shikshá Bhúbiharan; or, Geography for Beginners.	ditto	Pyárímohan Chatterji.	Geography, E.	Printed at the B. P. M.'s Press, No. 72 Jhámapukur Lane, Calcutta.	Printed by Kárikha Das, and published by the Sanskrit Press Depository.
1158	Barna Paricharyá; or, Instructor in the Letters. Part I.	ditto	Sadánanda Chatterji.	Language, E.	Printed and published at J. G. Chatterji & Co.'s Press, No. 116, Amherst Street, Calcutta.	Printed by J. G. Chatterji and Co., and published by the author.
1159	Rájá Ibrahimer-harikaryabrittánta; or, an Account of Rájá Ibrahim as a Recluse.	ditto	Girishchandra Sen.	Religion, H	Printed and published at the Indian Mirror Press, Calcutta.	Printed and published by Gopálchandra Das.
1160	Deburshi Nárader-nabajíbán-lábh; or, New life acquired by Nárad, the Chief of Devotees.	ditto	Aghornáth Gupta.	ditto ..	ditto ..	ditto ..
1161	Kalak-guli-prashnottar; or, Some Questions and Answers.	ditto	Kshabchandra Sen.	ditto ..	ditto ..	ditto ..
1162	Prathan-path, Asanjukta-barna; or First Lessons in Simple Letters. (Illustrated.)	ditto	Sákhárí Datta.	Language, E.	Printed and published at Hitaishí Press, No. 1, Krishnadás Pál's Lane, Calcutta.	Printed and published by Kailáshchandra Banerji.
1163	Phalit-jyotish; or, Digest of the Oracolum. New Series. Part I.	ditto	Compiled and translated by Ambikácharan Bose.	Miscellaneous.	Printed and published at the Wellington Press, Calcutta.	Printed by Bibhúti Adhya, and published by Krishnalal Datta.
1164	Byám-shikshak; or, Gymnastic Instructor. Part I. (Illustrated.)	ditto	Shyámácharan Ghosh.	Science, E.	Printed and published at the Kar Press, No. 107, Bhábánikar Street, Calcutta.	Printed by Jadunáth Mandal, and published by the author.

Quarter ending 31st December 1875.—(Continued.)

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PAMPHLETS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Augt. 30th	12	12mo.	First	2,000	Printed	0 0 3	Kasikhi Chandra, of Calcutta.	On the theft of the jewels belonging to the goddess Kâli; the falling down of a portion of the temple of Jagannath; the theft of Kâli's sacrificial knife; the troubling in of the roof of Madanchandra's Sidheshwari temple, and the breaking of the hand of the goddess.
„ 14th	12	12mo.	First	3,000	ditto	0 0 2	ditto	On the theft of the jewels belonging to the goddess Kali.
„ 20th	12	12mo.	First	2,000	ditto	0 0 3	ditto.	
„ 21st	12	12mo.	First	3,000	ditto	0 0 3	ditto	
„ 22nd	12	12mo.	First	1,500	ditto	0 0 2	ditto.	
„ 26th	12	12mo.	First	6,000	ditto	0 0 2	ditto	Mainly referring to the great immorality prevailing in Calcutta.
„ 19th	71	12mo.	First	1,000	ditto	0 2 0	Pyarimohan Chatterji	Intended for the junior pupils of schools.
„ 20th	24	12mo.	First	1,000	ditto	0 1 0	Sadananda Chatterji Goshin, of Durgapore.	Containing the alphabet and a few lessons in simple letters.
„ 22nd	16	16mo.	First	500	ditto	0 1 0	The Indian Brihad Sabha, at No. 13, Mirzapore Street, Calcutta.	A religious tract narrating the good deeds of Ibrahim Bijk of Balkh, who gave up the world and took up his abode in a cemetery.
„ 23rd	8	12mo.	First	500	ditto	0 1 6	ditto	Relating a dialogue between Byás, the author of the Mahábhárat, and Nárad, the devotee, in the course of which the religious views of the latter are explained.
„ 23rd	14	32mo.	First	500	ditto	0 0 6	ditto	On spiritual matters.
„ 23rd	31	12mo.	Eighteen	500	ditto	0 1 0	Bichari Datta, of Nimbandandattapukur.	Containing the alphabet, and easy lessons in simple letters, concluding with a short piece of poetry.
„ 31st	23	12mo.	First	1,000	ditto	0 4 0	Anukulchandra Basu of Hogalkuria, Calcutta.	Compiled from Napoleon's Pata Book and some Sanskrit works.
Sept. 1st	66	12mo.	First	1,000	ditto	0 4 0	Shyámácharan Ghosh of Bankhata Bose's Street.	

1	2	3	4	5	6	7
Number.	Title (to be translated into English when the title-page is not in that language.)	Language in which the book is written.	Name of author, translator, or editor of the book, or any part of it.	Subject.	Place of printing and place of publication.	Name or firm of printer, and name or firm of publisher.
						BENGALI
1165	Sonágáji Khun; or, The Murder at Sonágáji.	Bengali	Akhilchandra Datta.	Poetry ...	Printed and published at the Kabiá Kaumudi Press, No. 117 Chitpore Road, Calcutta.	Printed and published by Kasilál Chandra.
1166	Bhálobásár-mukho-chhái; or, Dust thrown in the Face of Love.	ditto	Pyárimohan Sen.	ditto ...	ditto ...	ditto ...
1167	Sonágáji Khunir-phánsi-hukum; or, The Sonágáji Murderer sentenced to be hanged.	ditto	Akhilchandra Datta.	ditto ...	ditto ...	ditto ...
1168	Bidyasundar (the title of a well known Bengáli poem).	ditto	The late Bháratchandra Ráya.	ditto ...	Printed and published at the Sudhánsú Press, No. 117 Chitpore Road, Calcutta.	Printed by Jahurilál Shil, and published by Trailokyanáth Datta.
1169	Shishubodhak; or, Child's Instructor (Illustrated.)	ditto	Shubhánkardás Pandit.	Miscellaneous.E.	ditto ...	ditto ...
1170	Banger jasanvilábir Nátak; or, The Dalbi version of Bengal. A drama.	ditto	Bipinbihári Shil.	Drama ...	Printed and published at the New Indian Press, No. 11 Patuldánga Lane, Calcutta.	Printed by Rámnrisinha Banerji, and published by the author.
1171	Nirdeshakshang Shastra-Shárir-Bidya; or, Surgical and Descriptive Anatomy.	ditto	Rashikásta Datta.	Medical ...	Printed and published at the Girish Press, Dacca.	Printed and published by Manik Pakrá.
1172	Satyamálá; or, Garland of Truth.	ditto	Not given ...	Religion, B.	Printed and published at the East Bengal Press, Dacca.	Printed and published by Nabinchandra Dr.
1173	Rita-Manjari; or, Blossoms of Good Things.	ditto	Hemchandra Chatterji.	Poetry ...	ditto ...	ditto ...
1174	Bodhodaya; or, Rise of Knowledge.	ditto	Compiled by Iswarchandra Bidyáságara.	Miscellaneous.E.	Printed at the Sanskrit Press, No. 62 Amherst Street, Calcutta, and published at the Sanskrit Press Depository.	Printed by Purnchar Banerji, and published by the manager of the Sanskrit Press Depository.
1175	Barna-Parichaya, Asanjukta-kvrna; or, an Acquaintance with Simple Letters. Part I.	ditto	ditto ...	Language, E.	ditto ...	ditto ...
1176	Ditto ditto. Compound Letters. Part II.	ditto	ditto ...	ditto ...	ditto ...	ditto ...
1177	Krishiniyamábali-o-Jamidári, Malkjáni-hisáb; or, Rules for Cultivation, and Zemindári and Malkjani Accounts.	ditto	Haladhar Guha.	Accounts, E.	Printed and published at the Bángla Press, Dacca.	Printed and published by Lachhman Basak.
1178	Revelation of St. John the Divine.	ditto	The Calcutta Auxiliary Bible Society.	Religion, C.	Printed at the Baptist Mission Press, Calcutta.	Printed by Rev. C. B. Lewis, and published by the Calcutta Auxiliary Bible Society.
1179	Bilap-Lahari; or, the Waves of Lamentation.	ditto	Bhabasundari Dási.	Poetry ...	Printed at the Stanhope Press, No. 249 Bow Bazar Street, Calcutta, and published at Chatál.	Printed by I. C. Bose and Co., and published by Pránchandra Ráya Chaudhuri and Ashwini Kumár Ghosh.
1180	Panchali; or, Verses in five metres. 11th Canto.	ditto	Rashikchandra Ráya.	Poetry ...	Printed at the Kabiratnákar Press, No. 17 Brindában Basak's Street, Calcutta, and published at No. 118, Chitpore Road.	Printed by Ambikácharan Chatterji, and published by Bishwambhar Lábá.

Quarter ending 31st December 1875.—(Continued.)

8	9	10	11	12	13	14	15	16
Date of issue of each work, or parts, or given of publication.	Number of sheets, leaves, or pages.	Size.	First, second, or other edition.	Number of copies of which the whole impression consists.	Printed or lithographed.	Price at which the book is sold to the public.	Name and residence of proprietor of copyright, or any portion of it.	Remarks.
PAMPHLETS.—(Continued.)								
1875.	Pages.					Rs. A. P.		
Sept. 1st	12	12mo.	First	6,000	Printed	0 0 2	Bankim Chandra	With reference to a recent brutal murder by a Bengalee of his mistress at Sonagáchi, in Calcutta.
„ 13th	12	12mo.	First	2,500	ditto	0 0 2	ditto	Showing the want of a return of affection on the part of wives and sweethearts towards their husbands and lovers, who invariably load them with innumerable presents and ardent attachment.
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„ 20th	16	16mo.	First	100	ditto	0 1 6	.....	On goodness.
„ 6th	80	Ill. 12mo.	Forty-eighth	10,000	Jitto	0 3 0	Ishwarchandra Bidyaságara, of Calcutta.	Containing, reading lessons on various subjects. A short vocabulary of the most difficult words is to be found at the end of the book.
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„ 14th	48	12mo.	Fifty-seventh	10,000	ditto	0 1 3	ditto	Containing the alphabet, and short reading lessons in compound letters.
„ 11th	82	8vo.	First	500	ditto	0 6 0	.....	
„ 16th	50	16mo.	First	5,000	ditto	0 0 3	.....	
„ 17th	27	Ill. 12mo	First	250	ditto	Gratis	Ashwinikumár Ghosh, of Chetla.	Composed and published by the author on the death of her brother and son.
„ 23rd	96	8vo.	First	1,000	ditto	0 2 0	Rishwambhar Lahá of No. 16 Kálipersad Datta's Street.	

CATALOGUE OF BOOKS for the

1	2	3	4	5	6	7
Number.	Title (to be translated into English when the title-page is not in that language.)	Language in which the book is written.	Name of author, translator, or editor of the book, or any part of it.	Subject.	Place of printing and place of publication.	Name or firm of printer, and name or firm of publisher.
						BENGALI
1181	Jnahid bigyán; or, Knowledge for Women.	Bengali.	Shrimat Basantakumáridási.	Miscellaneous, E.	Printed and published at the Satyaprakásh Press, Barisal.	Printed and published by Harakumár Kar.
1182	Mánas Ranjini; or, Entertaining Meditations. Part I.	ditto	Pramadácharan Sen.	Poetry, E.	Printed and published at the Madhyastha Press, No. 30 Cornwallis Street, Calcutta.	Printed by Adwaitcharan Ghosh, and published by the author.
1183	Samare Kamini-Nátak; or, the Female in Battle. A drama.	ditto	Harimohan Bhattácharjya.	Drama	ditto	ditto
1184	Uchchaganita; or, Higher Arithmetic. Part I.	ditto	Compiled by Kamalakumar Chakrabarti.	Arithmetic, E.	Printed and published at the Gupta Press, No. 24 Mirjadi's Lane, Calcutta.	Printed by Matilal Das and published by Ishanchandra Bhattacharjya.
1185	Jel-Darpan Nátak; or, the Mirror depicting the Jail.	ditto	Dakshinácharan Chatterji, author of the Chákar Darpan.	Drama	Printed and published at the Sarabkar Chandrika Press, No. 43 Nitaram Ghosh's Street, Calcutta.	Printed by Jadunath Raya, and published by the author.
1186	Ekár-Pujár-bara-dhum; or, Great relief about the Puja this time.	ditto	Jogendranath Basu.	Poetry	Printed and published at the Kabitakusumali Press, No. 117 Chitpore Road, Calcutta.	Printed and published by Kanikal Chandra.
1187	Saral Mánasánka; or, Easy Mental Arithmetic. Part I.	ditto	O. R. Bachelor	Arithmetic, E.	Printed and published at the Mission Press, Midnapore.	Printed and published by R. M. Mogkin.
1188	Gubernar-Sáheber-Shubhágaman; or, the Welcome arrival of the Governor.	ditto	Nabakumár Nath.	Poetry	Printed and published at the Gupta Press, No. 24 Mirjadi's Lane, Patuldánga, Calcutta.	Printed by Matilal Das, and published by the author.
1189	Tantubáya-tilak; or, Particulars relative to the Rise and Progress of the Weaver Class.	ditto	Compiled by Paramananda Das.	ditto	ditto	ditto
1190	Ashtambhág Pánchali	ditto	Manikchandra Ráya.	ditto	Printed at the Kabitáranta-kar Press, No. 17 Brindában Basak's Street, Calcutta, and published at No. 115 Chitpore Road.	Printed by Ambikácharan Chatterji, and published by Rishwanikhar Lahá.
1191	Kabitá Prasúna; or, the Blossom of Poetry.	ditto	Kailáschandra Mukerji.	Poetry, E.	Printed at the B. P. M.'s Press, No. 32 Jhámapukur Lane, Calcutta.	Printed by Krishnalal, and published by the author.
1192	Náradsambád; or, Tidings of Nárad.	ditto	Krishnadas Pandit.	Poetry	Printed and published at the General Printing Press, No. 115 Chitpore Road, Calcutta.	Printed and published by Benimádhab Bhattácharjya.
1193	Manoshikshá; or, Discipline of the Mind.	ditto	Premánanda Dás.	ditto	ditto	ditto
1194	Sabitridri Nátak; the Name of the Heroine. A drama. Part II.	ditto	Dwárkánath Sarkár.	Drama	Printed at the Scalish Datta Press.	Printed by Sheikh Ayazuddin.
1195	Kurukshetrayuddhyán Nátak; or the Kuru Rája's Battle-field. A drama.	ditto	Shyámcharan Dás.	ditto	Printed at the Purnaprakash Press.	Printed by Mahendranath Bhattácharjya, and published by Jadunath Das.